

Also, a bill (H. R. 13283) granting an increase of pension to H. P. Abbott—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 13284) for the relief of John Thomas Owen—to the Committee on Military Affairs.

By Mr. SLAYDEN: A bill (H. R. 13285) for the relief of the heirs of George T. Howard—to the Committee on War Claims.

By Mr. WATERS: A bill (H. R. 13286) granting a pension to Henry Hinckley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13287) granting a pension to Carrie Le Baron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13288) granting a pension to Lucie Place—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13289) granting a pension to John W. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13290) granting an increase of pension to James F. Cosgro—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13291) granting an increase of pension to Stephen B. Yeoman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13292) granting an increase of pension to Charles H. Edmonds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13293) granting an increase of pension to William Lomsberry—to the Committee on Invalid Pensions.

By Mr. BULL: A bill (H. R. 13296) granting a pension to Elizabeth A. Collins—to the Committee on Invalid Pensions.

By Mr. DE ARMOND: A bill (H. R. 13297) granting an increase of pension to Oscar M. Peck—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 13298) for the relief of the heirs of the estate of John Hogan—to the Committee on War Claims.

By Mr. JAMES R. WILLIAMS: A bill (H. R. 13299) granting a pension to Milla Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13300) to increase the pension of Thomas Sheridan—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BELL: Resolutions of the Board of Trade of Leadville, Colo., and Business Men's Association, of Pueblo, Colo., favoring certain extensions of the Weather Bureau—to the Committee on Agriculture.

Also, resolutions of Bricklayers and Masons' Union, Cripple Creek, Colo., favoring Government ownership of railroads, etc.—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Board of Trade of Leadville, Colo., favoring Government irrigation of public lands—to the Committee on the Public Lands.

Also, petitions of certain churches and Women's Christian Temperance unions of Aspen, Lamar, Monument, Colorado City, Hooper, and Montrose, Colo., against island saloons and canteens—to the Committee on Military Affairs.

By Mr. BOWERSOCK: Petition of Bedell Brothers and other citizens of Iola, Kans., against the parcels-post system—to the Committee on the Post-Office and Post-Roads.

By Mr. BURKETT: Resolutions of the faculty of the Industrial College of the State University of Nebraska, favoring the passage of House bill No. 11350, to establish the national standardizing bureau—to the Committee on Coinage, Weights, and Measures.

Also, resolutions of the General Association of the Congregational Churches of Nebraska, in favor of the anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. BURTON: Petition of citizens of Cleveland, Ohio, in favor of prohibition of American traders selling intoxicants—to the Committee on Alcoholic Liquor Traffic.

By Mr. CAPRON: Petition of keeper and surfmen of Quonochontang life-saving station, for the passage of the bill to increase their pay—to the Committee on Interstate and Foreign Commerce.

By Mr. GASTON: Petition of F. K. Easterwood and other druggists of Meadville, Pa., for the repeal of the special tax on proprietary medicines, etc.—to the Committee on Ways and Means.

Also, petition of W. F. Root and other citizens of Gresham, Pa., to ratify treaty between civilized nations relative to alcoholic trade in Africa—to the Committee on Alcoholic Liquor Traffic.

By Mr. GRAHAM: Resolution of the Pennsylvania Republican State committee, Philadelphia, Pa., sustaining the Burleigh report relating to Congressional apportionment—to the Select Committee on the Census.

Also, editorial comments of New York newspapers, favoring the passage of the Frye-Payne shipping bill—to the Committee on the Merchant Marine and Fisheries.

Also, petition of 250 citizens of Bellevue, Pa., M. M. Sweeney,

chairman, favoring the exclusion of the liquor traffic in Africa, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petition of wine importers and dealers, for the repeal of the stamp tax on domestic and foreign wines—to the Committee on Ways and Means.

By Mr. GREENE of Massachusetts: Resolutions of the Fall River (Mass.) Board of Trade, favoring Senate bill No. 727, known as the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. GRIFFITH: Papers to accompany House bill No. 11678, granting a pension to James Schroggham—to the Committee on Invalid Pensions.

By Mr. MCCALL: Resolutions of Boston Paper Trade Association, in favor of reciprocal trade relations with Canada—to the Committee on Ways and Means.

By Mr. METCALF: Resolution of the California Club, San Francisco, Cal., urging the Government to place certain forest reservations on an income-producing basis—to the Committee on the Public Lands.

Also, resolution of the city council of Oakland, Cal., for the improvement of Oakland Harbor—to the Committee on Rivers and Harbors.

By Mr. NAPHEN: Resolutions of the Boston (Mass.) Paper Trade Association, favoring a reciprocal trade treaty with Canada—to the Committee on Ways and Means.

By Mr. NEEDHAM: Petition of W. V. Couch and other citizens of San Diego and vicinity, California, in favor of the anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. OTEY: Petition of Joseph White, of Virginia, for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. PAYNE: Petition of the Orthodox Friends of Macedon Center, N. Y., for the prohibition of the sale of intoxicants, etc.—to the Committee on the Judiciary.

By Mr. RICHARDSON of Alabama: Petition of Joseph Morgan, of Jackson County, Ala., for reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of Caroline McCrory, of Jackson County, Ala., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. RYAN of New York: Resolutions of Winfield Scott Garrison, Regular and Volunteer Army and Navy Union, No. 68, favoring the enactment of a law to entitle all honorably discharged soldiers or sailors to admission in any military, marine, or naval hospital in the United States—to the Committee on Military Affairs.

By Mr. SLAYDEN: Papers to accompany House bill for the relief of the estate of George T. Howard—to the Committee on War Claims.

By Mr. STEWART of New Jersey: Petition of citizens of Passaic County, N. J., favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. THOMAS of Iowa: Petition of 100 citizens of Hawarden, Iowa, in relation to the exclusion of all spirituous liquors from our insular possessions and favoring certain other reforms—to the Committee on Insular Affairs.

SENATE.

MONDAY, January 7, 1901.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on request of Mr. PETTUS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

CREDENTIALS.

Mr. PETTUS. Mr. President, I present a paper certifying the fifth election of JOHN T. MORGAN to a seat in this body.

The credentials of JOHN T. MORGAN, chosen by the legislature of the State of Alabama a Senator from that State for the term ending March 3, 1907, were read, and ordered to be filed.

PROPOSED VETERINARY CORPS.

Mr. HAWLEY. I ask for permission to present out of order a resolution simply to print additional copies, which we shall probably need this afternoon.

The PRESIDENT pro tempore. It will be received and lie on the table for the present.

Mr. HAWLEY. I should like to have an exception made and to have the order entered now, because it relates to the veterinary corps, which may be the first thing to be considered to-day on the Army bill.

The PRESIDENT pro tempore. Is there objection to the reception of the resolution now? The Chair hears none.

The order was read, and agreed to, as follows:

Ordered, That 500 copies of a letter from the Secretary of War submitting letters concerning the proposed veterinary corps be printed for the use of the Senate.

PETITIONS AND MEMORIALS.

Mr. SEWELL presented a petition of sundry citizens of Columbus, N. J., praying for the enactment of legislation to prohibit the sale of intoxicating liquors to the native races in Africa; which was referred to the Committee on Foreign Relations.

He also presented sundry petitions of citizens of Blackwood, Jacobtown, Dayton, and Plainfield, all in the State of New Jersey, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented the petitions of John Marshall, keeper, and 7 other members of the life-saving crew of Bonds Station; Jarvis B. Rider and sundry other citizens, and of Thompson B. Pearce, keeper, and 7 other members of the life-saving crew of Bay Head, all in the State of New Jersey, praying for the enactment of legislation to promote the efficiency of the Life-Saving Service and to encourage the saving of life from shipwreck; which were referred to the Committee on Commerce.

Mr. TOWNE presented a memorial of the National Patriotic Federation, remonstrating against the enactment of legislation relative to the authority granted steam railroads to enter the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. BEVERIDGE presented a petition of the mayor and common council, Board of Trade, and of sundry citizens of Vincennes, Ind., praying that an appropriation be made for the erection of a public building at that city; which was referred to the Committee on Public Buildings and Grounds.

Mr. BARD presented a memorial of the Fruit Growers' Association of Sacramento, Cal., remonstrating against any change being made in the present tariff on citrus fruits; which was referred to the Committee on Finance.

Mr. LODGE presented petitions of the Methodist Preachers' Association of Boston, Mass.; of the Woman's Christian Temperance Union of New Bedford, Mass., and of the permanent committee on temperance of the Universalist General Convention, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which were ordered to lie on the table.

Mr. PERKINS presented a petition of the Lamanda Orange and Lemon Association of California, praying for the establishment of a quarantine against infected fruits imported into the United States; which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Board of Trade of Visalia, Cal., remonstrating against the further disposal of untenanted Government lands, and praying that an appropriation be made for the improvement and extension of roads and trails in the Sequoia and General Grant national parks in that State; which was referred to the Committee on Public Lands.

He also presented a petition of the keeper and members of the life-saving station of Point Reyes, Cal., praying for the enactment of legislation to promote the efficiency of the life-saving service; which was referred to the Committee on Commerce.

Mr. FORAKER presented a petition of the members of the Presbytery of Steubenville, Ohio, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which was ordered to lie on the table.

He also presented a petition of Valley City Federal Union, No. 8649, American Federation of Labor, of Sidney, Ohio, praying for the enactment of legislation regulating the daily hours of labor of workmen and mechanics, and also to protect free labor from prison competition; which was referred to the Committee on Education and Labor.

He also presented a petition of the Sunday school of the Congregational Church of Norwalk, Ohio, and a petition of the Young People's Society of Christian Endeavor of Bellevue, Ohio, praying for the enactment of legislation to prohibit the sale of intoxicating liquors to native races in Central Africa, the Philippines, and Alaska; which were referred to the Committee on Foreign Relations.

He also presented petitions of 73 citizens of Crawford County; of the Central Labor Union, American Federation of Labor of Toledo; and of the Farmers' Institute of Piqua, all in the State of Ohio, praying for the enactment of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

He also presented petitions of 29 citizens of Norwalk, of the Christian Endeavor Society of the Congregational Church of Norwalk, of the Ministerial Association of Youngstown, and of George V. Morris and 15 other citizens of Hyde Park, all in the State of

Ohio, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. CLAY presented a petition of the Board of Trade of Savannah, Ga., praying that an appropriation be made to secure an enlargement of the work made by the Geological Survey relative to the preservation of forests so as to include in its operations the forests of Georgia and Eastern States, and also for the improvement of the public highways of the country; which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. FOSTER presented a petition of the Daughters of the American Revolution of the State of Washington, praying for the enactment of legislation providing for the purchase of the Valley Forge camp ground to be used as a national park and military reservation; which was referred to the Committee on Military Affairs.

He also presented a petition of the congregation of the Plymouth Congregational Church, of Seattle, Wash., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which was ordered to lie on the table.

Mr. McMILLAN presented a memorial of the board of public works of Grand Rapids, Mich., remonstrating against the enactment of legislation for the relief of the widow of Isaiah Smith Hyatt, relative to the extension of ten years on a patent granted to her husband for a method of purifying water; which was referred to the Committee on Patents.

He also presented a petition of the Marble Workers' Union of Detroit, Mich., and a petition of the Trades and Labor Council of Grand Rapids, Mich., praying for the enactment of legislation regulating the hours of daily labor of workmen and mechanics, and also to protect free labor from prison competition; which were referred to the Committee on Education and Labor.

He also presented sundry petitions of the keeper and members of the life-saving station of Frankfort, Mich., praying for the enactment of legislation to promote the efficiency of the Life-Saving Service and to encourage the saving of life from shipwreck; which were referred to the Committee on Commerce.

He also presented petitions of sundry citizens of California and Lake City, and of the Pastors' Union of Lapeer, all in the State of Michigan, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which were ordered to lie on the table.

He also presented sundry petitions of citizens of Ferry, South Lyon, Grand Rapids, Detroit, North Branch, and North Adams; of the Foreign Missionary Society of the First Presbyterian Church of Saginaw; of the Missionary Society of the Immanuel Church of Saginaw; of the Ladies' Benevolent Circle of the Presbyterian Church of Dearborn; of the Home and Foreign Missionary Society of the Presbyterian Church of Ann Arbor; of the Woman's Missionary Society of the First Presbyterian Church of Kalamazoo; of the Woman's Home and Foreign Missionary Society of West Bay City; of the Home and Foreign Missionary Society of the St. Andrew's Presbyterian Church of Detroit; of the Home Missionary Society of the First Presbyterian Church of Saginaw; of the Woman's Missionary Society of Homer, and of the Columbian Club, of Coldwater, all in the State of Michigan, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Washington, D. C., praying for the enactment of legislation incorporating the Washington Telephone Company in the District of Columbia; which were ordered to lie on the table.

Mr. FAIRBANKS presented the petition of Charles Webber and 18 other citizens of Harrison County, Ind., and the petition of John W. McCarty and 51 other citizens of Stones Crossing, Ind., praying for the enactment of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

Mr. SPOONER presented a petition of sundry citizens of Portage, Lewiston, Caledonia, and Pacific, all in the State of Wisconsin, praying that an appropriation be made for the improvement of levees at those places, and also for the protection of the Fox River Valley; which was referred to the Committee on Commerce.

He also presented a petition of the congregations of the Congregational Church, the Baptist Church, and the Methodist Episcopal Church of Bloomington, and of the Methodist Episcopal Church of Providence, all in the State of Wisconsin, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. PLATT of Connecticut presented the petition of Rev. J. Wesley Johnston and sundry other citizens of Meriden, Conn., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Windham, Conn., and a petition of Ekonk Grange, No. 89, Patrons of

Husbandry, of Sterling, Conn., praying for the enactment of the so-called Grout bill to regulate the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

Mr. SHOUP presented the petition of L. W. Gilchrist, of Seattle, Wash., praying that certain changes be made in the present mining laws relating to Alaska; which was referred to the Committee on Mines and Mining.

Mr. VEST presented a memorial of the G. W. Taylor Dry Goods Company, of Huntsville, Mo., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

ADDITIONAL REPORT ON INTEROCEANIC CANAL.

Mr. MORGAN. I am directed by the Committee on Inter-oceanic Canals to submit an additional report to accompany the bill (H. R. 2538) to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans. I move that it be printed and lie on the table.

The motion was agreed to.

Mr. MORGAN. I also ask unanimous consent that the report I have just submitted may be bound in paper, inasmuch as it is very voluminous and otherwise pages would be likely to get lost. The PRESIDENT pro tempore. Without objection, the report will be bound in paper.

COURTS IN IOWA.

Mr. HOAR. I call the attention of the Senator from Iowa [Mr. ALLISON] to the report I am about to make. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 12447) to amend an act approved June 1, A. D. 1900, entitled "An act to create the southern division of the southern district of Iowa for judicial purposes, and to fix the time and place for holding court therein," to report it without amendment.

Mr. ALLISON. I ask unanimous consent that the bill may be considered. It is a local bill and of some importance, as it affects our courts. It will take but a moment.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RESERVATIONS FOR PURPOSES OF INAUGURAL CEREMONIES.

Mr. McMILLAN. I am directed by the Committee on the District of Columbia, to whom was referred the joint resolution (S. R. 145) authorizing the Secretary of War to grant permits to the executive committee on inaugural ceremonies for use of reservations or public spaces in the city of Washington on the occasion of the inauguration of the President-elect on March 4, 1901, and so forth, to report it favorably without amendment and to ask for its immediate consideration.

The Secretary read the joint resolution.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. COCKRELL. I should like to hear some explanation of it.

Mr. McMILLAN. I will ask that the letter of the president of the Board of Commissioners be read. It will explain the matter. This is the usual measure passed prior to inauguration, and it is almost word for word the same that was passed four years ago.

Mr. PLATT of Connecticut. It does not affect matters in the District of Columbia except for the purposes of the inauguration, as I understood from the reading of the joint resolution.

Mr. McMILLAN. That is true.

Mr. PETTIGREW. Let the letter be read.

The PRESIDENT pro tempore. The Secretary will read the letter.

The Secretary read as follows:

EXECUTIVE OFFICE,
COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
Washington, January 3, 1901.

DEAR SIR: The Commissioners of the District of Columbia are advised by the chairman of the committee on legislation of the committee on inaugural ceremonies that the committee proposes to request the reenactment of the joint resolution approved February 6, 1897, entitled "Joint resolution authorizing the Secretary of War to grant permits to the executive committee on inaugural ceremonies for use of reservations or public spaces in city of Washington on the occasion of the inauguration of the President-elect on March 4, 1897, etc.," providing that the amount of \$10,000 be asked for instead of \$8,300, as in the former resolution, for the maintenance of public order and the protection of life and property.

The Commissioners recommend the enactment of the proposed legislation so far as it contemplates the imposition of special duties upon them, and especially concur in the proposed increase of the amount of the appropriation for the protection of the public. The increase in the number of people who will be in attendance, owing to the growth of population in the District and the influx of strangers which the event to be celebrated will induce, render the proposed increase in the appropriation a very moderate one for the service it is intended to provide.

Very respectfully,

HENRY B. MACFARLAND,

President of the Board of Commissioners of the District of Columbia.

HON. JAMES McMILLAN,

Chairman Committee on the District of Columbia,
United States Senate.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

Mr. HOAR. Mr. President, I do not wish to interfere with the passage of the joint resolution, but I wish to take this occasion to say, from a pretty long experience, that I believe it would be found practicable to afford some shelter to the crowds who gather at the inauguration to hear the inaugural address of the President in the open air on the east front of the Capitol, by a temporary structure with a roof which can be taken away and perhaps saved for the next four years after it has been used, or at least by some structure which will break the force of a high wind.

I have witnessed now seven or eight inaugurations. Two or three of them have been under circumstances which have occasioned great loss of life and great injury to health—injury to the health of thousands of persons and loss of life of hundreds of persons, I have no doubt. The second inauguration of President Grant and the inauguration of President Harrison were among them. At the second inauguration of President Grant the West-point cadets stood for hours exposed to one of the most savage storms known in the history of Washington, and several of the boys lost their lives, sooner or later, from the exposure on that day.

Now, that goes on year after year. People come here from all parts of the country; they are eager at any rate to witness that most sublime of all human ceremonies, and it seems to me that the genius of the architects of the country and the wisdom of the Committee on the District of Columbia ought to be applied to the solution of that problem, making the inauguration ceremonial safe no matter what the weather may be.

I do not wish to delay the Senate at this time, but I wish to emphasize that thought now.

Mr. PETTIGREW. I move to amend the joint resolution by adding at the end, on page 5, the following additional proviso:

Provided further, That no temporary tracks shall be laid upon or over any of the parks of the city.

Mr. McMILLAN. I have no objection to the amendment.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

Mr. BUTLER. I should like to ask the chairman of the committee why only one telegraph company, the Western Union, is mentioned in the joint resolution?

Mr. McMILLAN. I suppose the service of only one is required for this purpose. There is no objection to putting in the other if it is desired, but that one is all the Commissioners asked for.

Mr. BUTLER. If there is no objection, then, I move to insert on page 4, line 19, after the words "Western Union Telegraph Company," the words "and the Postal Telegraph Company."

Mr. McMILLAN. I have no objection to the amendment.

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. PETTUS introduced a bill (S. 5415) for the relief of Louis Kahn; which was read twice by its title, and, with the accompanying affidavits, referred to the Committee on Claims.

He also introduced a bill (S. 5416) for the relief of Anna S. Froebel and Elizabeth D. Froebel; which was read twice by its title, and referred to the Committee on Claims.

Mr. HARRIS introduced a bill (S. 5417) to amend section 1754 of the Revised Statutes of the United States, relating to the preference in civil appointments of ex Army and Navy officers; which was read twice by its title, and referred to the Committee on Civil Service and Retrenchment.

Mr. MORGAN introduced a bill (S. 5418) for the relief of Mrs. W. F. Hardin; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5419) for the relief of William M. Fussell; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 5420) to remove the charge of desertion from the military record of James L. Northcutt; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. LODGE introduced a bill (S. 5421) granting an increase of pension to John Quinn; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 5422) granting a pension to S. Josie Hill; which was read twice by its title, and referred to the Committee on Pensions.

Mr. NELSON introduced a bill (S. 5423) for the relief of R. M. Probstfield; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. PENROSE introduced a bill (S. 5424) to correct the military record of David P. Morrison; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 5425) to correct the military record of Patrick Morrissey; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 5426) for the relief of Harlan & Hollingsworth & Company; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT of New York introduced a bill (S. 5427) to amend section 4472 of the Revised Statutes of the United States so as to permit steamboats to carry automobiles using gasoline as a method of propulsion; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5428) granting an increase of pension to Charles R. Cole (with an accompanying paper); and

A bill (S. 5429) granting a pension to J. Anton Groh (with accompanying papers).

Mr. BARD introduced a bill (S. 5430) providing for the purchase and making free of certain toll roads leading into and passing over the Yosemite National Park; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. FORAKER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5431) granting an increase of pension to William H. Ball (with accompanying papers);

A bill (S. 5432) granting an increase of pension to John W. Cundiff;

A bill (S. 5433) granting a pension to Clara G. Garretson;

A bill (S. 5434) granting an increase of pension to Charles Andrews (with accompanying papers);

A bill (S. 5435) granting an increase of pension to George S. Foreman;

A bill (S. 5436) granting an increase of pension to William E. Rhyon;

A bill (S. 5437) granting an increase of pension to Henry H. Jones; and

A bill (S. 5438) granting an increase of pension to Thomas Lever.

Mr. FORAKER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 5439) to remove the charge of desertion from the military record of John Maddox;

A bill (S. 5440) for the relief of telegraph operators who served during the war of the rebellion; and

A bill (S. 5441) to remove the charge of desertion from the military record of Jesse P. Brown.

Mr. SPOONER introduced a bill (S. 5442) to provide for the purchase of a site and for the erection of a public building thereon at the city of Superior, in the State of Wisconsin; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 5443) granting an increase of pension to Charles R. Bridgman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT of Connecticut introduced a bill (S. 5444) to encourage the exportation of manufactured articles of which domestic alcohol is a constituent; which was read twice by its title, and referred to the Committee on Finance.

Mr. McMILLAN introduced a bill (S. 5445) to widen the Anacostia road, in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. DOLLIVER introduced a bill (S. 5446) to extend the provisions of the act approved March 2, 1855, entitled "An act for the relief of purchasers and locators of swamp and overflowed lands," and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. TELLER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 5447) for the relief of Mrs. Sarah R. Dresser; and

A bill (S. 5448) for the relief of Mrs. Arivella D. Meeker.

Mr. SHOUP (by request) introduced a bill (S. 5449) authorizing the sale of a part of the lands donated to the Territory of New Mexico for university purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. WARREN introduced a joint resolution (S. R. 148) expressing thanks of Congress to officers and men of the battle ship *Oregon*; which was read twice by its title, and referred to the Committee on Naval Affairs.

AMENDMENTS TO RIVER AND HARBOR APPROPRIATION BILL.

Mr. MALLORY submitted an amendment proposing to appropriate \$115,000 for the construction and equipment of a dredge for dredging and maintaining a channel depth of 30 feet from the Gulf of Mexico to the dock line at the east end of the city of Pensacola, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. FOSTER submitted an amendment, granting permission to Richard Chilcott to dredge and improve the mouth of the Snake River at Nome City, Alaska, and to charge tolls for such improvements, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

THE MILITARY ESTABLISHMENT.

Mr. PENROSE submitted an amendment intended to be proposed by him to the bill (S. 4300) to increase the efficiency of the military establishment of the United States; which was referred to the Committee on Military Affairs, and ordered to be printed.

THE OLEOMARGARINE BILL.

Mr. MONEY submitted an amendment intended to be proposed by him to the bill (H. R. 11543) to amend sections 3 and 6 of an act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886, and also to define manufacturers and dealers and prescribe special taxes for them; which was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

CALLS BY THE SENATE ON EXECUTIVE DEPARTMENTS.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day and calls the attention of the Senator from Georgia [Mr. BACON] to it. The resolution will be read.

The Secretary read the resolution submitted by Mr. BACON on the 5th instant, as follows:

Resolved by the Senate, That any and every public document, paper, or record on the files of any Department of the Government relating to any subject whatever over which Congress has any grant of power, jurisdiction, or control under the Constitution is subject to the call or inspection of the Senate for its use in the exercise of its constitutional powers and jurisdiction.

Mr. ALDRICH. I move to refer the resolution to the Committee on the Judiciary.

Mr. BACON. Mr. President, I ask as a matter of courtesy to myself that the resolution may lie on the table, in order that I may call it up and submit some remarks upon it.

Mr. ALDRICH. I have no objection that that course should be taken, subject, however, to the motion, whenever the resolution comes up, to refer it to the committee which I have indicated.

Mr. BACON. Of course the Senator has the right to make that motion without any reservation on his part at this time.

Mr. ALDRICH. I make the reservation simply because I should like to have it understood, as far as I can by any action of mine now, that if I am not in the Senate Chamber at the time, the motion is to be made.

Mr. SPOONER. Let the resolution and the motion go over together.

Mr. BACON. I have no objection to the Senator making the motion.

The PRESIDENT pro tempore. The Senator from Georgia asks unanimous consent that the resolution may lie on the table—subject to his call in the morning hour?

Mr. BACON. Yes, sir.

The PRESIDENT pro tempore. Is there objection?

Mr. ALLISON. And the motion of the Senator from Rhode Island will also go over.

Mr. ALDRICH. The motion for reference goes with it. Let the whole matter go over, the motion for reference as well.

The PRESIDENT pro tempore. Has the Senator from Rhode Island made the motion to refer?

Mr. ALDRICH. I have made a motion to refer the resolution to the Committee on the Judiciary.

The PRESIDENT pro tempore. It is also asked that the motion for reference shall take the same course.

Mr. BACON. I have no objection. It will be practically the same thing at that time.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

PAYMENTS TO SISSETON AND WAHPETON INDIANS.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted by Mr. PETTIGREW on the 3d instant, as follows:

Resolved, That the Secretary of the Interior be, and is hereby, directed to send to the Senate a copy of all recommendations, requests, and papers on

file in relation to the payment of money belonging to the Sisseton and Wahpeton Indians to said Indians since November 6, 1900, and to inform the Senate whether he informed said Indians, or any of them, or any other person, previous to November 6 that he would make said payment after that date.

Mr. PETTIGREW. I ask leave to amend the resolution by striking out the words "he informed said," in line 6, and inserting "whether any official assurances were made to said."

The PRESIDENT pro tempore. The Senator has modified his resolution. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

REPORT OF ABRAHAM L. LAWSHE.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted by Mr. PETTIGREW on the 4th instant, as follows:

Resolved, That the Senate hereby expresses its condemnation of the refusal of the Secretary of War, under whatever influence, to send to the Senate copies of papers called for by its resolution of the 19th of December, 1900, requesting the Secretary of War to send to the Senate the report of Abraham L. Lawshe in relation to the receipts and expenditures in Cuba, as in violation of his official duty and subversive of the fundamental principles of the Government and of a good administration thereof.

Mr. PETTIGREW. This resolution relates to the same subject-matter as the resolution of the Senator from Georgia [Mr. BACON], and I therefore ask that it may lie on the table and follow his resolution.

The PRESIDENT pro tempore. Does the Senator make the same request that the Senator from Georgia made?

Mr. SPOONER. I make the same motion that the Senator from Rhode Island made.

The PRESIDENT pro tempore. To refer to what committee?

Mr. SPOONER. To the Judiciary Committee.

Mr. PETTIGREW. Let it follow the same course, then, as the resolution of the Senator from Georgia.

Mr. SPOONER. The resolution and the motion to refer.

The PRESIDENT pro tempore. The Senator from South Dakota asks unanimous consent that the resolution may lie on the table subject to his call in the morning hour, and that the motion to refer to the Judiciary Committee shall take the same course. Is there objection? The Chair hears none, and it is so ordered.

THE MILITARY ESTABLISHMENT.

Mr. HAWLEY. I ask unanimous consent that the Senate proceed to the consideration of the Army bill.

There being no objection, the Senate resumed the consideration of the bill (S. 4300) to increase the efficiency of the military establishment of the United States.

The PRESIDENT pro tempore. The amendment under consideration would be on page 27, touching the veterinary corps. The Senator from Delaware [Mr. KENNEY], who is interested in that amendment, and the Senator from New Hampshire [Mr. GALLINGER], who is also interested in it, asked that it might be further passed over.

Mr. HAWLEY. I have no objection to waiting for a while.

Mr. PETTIGREW. I should like to ask the chairman of the committee whether the hearings that were had before the Committee on Military Affairs have been printed for the use of the Senate. They are not on my desk, and I have not had an opportunity to see them.

Mr. SEWELL. They have been printed for some days.

Mr. HAWLEY. I am informed that the reports have been printed, and also that the package has been sent to the document room. Whether copies have been laid on Senators' desks I am not sure.

Mr. PETTIGREW. I will say that they were ordered printed, I think, on Saturday.

Mr. MONEY. I did not hear what the Senator from South Dakota proposed. I should be glad if he would repeat it.

The PRESIDENT pro tempore. He simply inquired whether or not the hearings before the committee had been printed, and was informed that they have been printed.

Mr. HAWLEY. Does the Senator from South Dakota desire to speak on the veterinary amendment?

Mr. PETTIGREW. I have a copy of the hearings before the Committee on Military Affairs, but it is not printed for the use of the Senate. There seems to have been a very limited number of these copies. An order was made to print a thousand copies, I understand, for the use of the Senate, but it embraces only a part of the hearings. There is no information so far, official or otherwise, of the necessity for this enlarged Army, and I have been seeking information on that subject.

Mr. HAWLEY. It is all printed. The whole of the evidence relating to the veterinary corps is in print.

Mr. PETTIGREW. But not for the use of the Senate. There was a limited number for the exclusive use of the committee printed, but that is not enough to supply the Senate.

Mr. HAWLEY. I think that copies have been printed for the use of the Senate.

Mr. PETTIGREW. The order embraced only one of them. There are two pamphlets.

The PRESIDENT pro tempore. There was an order made for printing two documents for the use of the Senate.

Mr. PETTIGREW. What I want to know is whether it has been printed so that we can get it or not. I have one of the committee's copies, that is all. But there is another pamphlet of hearings before the committee which has not been printed for the use of the Senate. It seems to me that we are illy prepared to go on with the bill without this information. There ought to be somewhere some information with regard to the necessity for this enlarged Army. If there has been testimony taken before the committee which shows the necessity for it, we ought to have that testimony. If there is nothing of the sort, then the Department ought to furnish us this information. They have so far refused it not only to the Senate, but to the country.

Mr. HAWLEY. What document does the Senator refer to?

Mr. PETTIGREW. I refer to the hearings before the Committee on Military Affairs.

Mr. HAWLEY. The Senator has a copy of it in his hand.

Mr. PETTIGREW. I have one of the committee's copies, but there is another pamphlet—I do not know what it contains—of hearings before the committee on this bill.

Mr. HAWLEY. That pertains to the canteen business, I suppose.

Mr. PETTIGREW. I do not know. Does it pertain to anything else?

Mr. BURROWS. I will state to the Senator that the testimony taken before the committee was published in two volumes, one relating to the general question of the Army and the other relating to the canteen question; and those two documents have been published, and the Senator has them before him.

Mr. PETTIGREW. I have one of them. I have the one with regard to the Army bill. These are, both alike, printed for the use of the committee, not for the use of the Senate.

Mr. BURROWS. There is another pamphlet containing the testimony in relation to the canteen.

Mr. PETTIGREW. And that has never been printed for the use of the Senate.

Mr. BURROWS. A joint resolution was introduced to print 15,000 copies of that document, and it was referred to the Committee on Printing.

While I have the floor, I wish to say to the Senator, in answer to his statement that he has no information as to the necessity for increasing the Army to 54,000, that that information is embraced in the report of the Secretary of War and the report of the Adjutant-General sent to the Senate, and can be gotten in the document room.

Mr. HAWLEY. It is also contained in the message of the President.

Mr. BURROWS. And also in the message of the President, giving in detail the necessity for the proposed increase.

Mr. PETTIGREW. Mr. President, it seems to me the Committee on Military Affairs ought to furnish us some information on this subject in their report. There are only two lines in their report regarding it. There are several pages in the report showing why intoxicating liquors should be sold in the canteen to the Army, and that is all there is to the report. This other information does not come to us. I suppose the report is the unanimous report of the committee, because the minority have made no report, so far as I can ascertain, and seem to have no objection to the report of the majority.

I should like to know where we can get this information. I have introduced a resolution calling on the War Department for information, but the resolution has been referred to the Committee on Military Affairs and not reported back. I do not see how we can go on with a bill of this vast importance, affecting the future of the country for generations and overturning our entire policy as a people, without this information. I think we are entitled to have it, and that the committee should give the information to us.

Mr. HAWLEY. The Senator has had before him the message of the President of the United States and the reports of all the various branches of the Government in detail, together with the hearings before the committee. He has also had a pamphlet giving the numbers of the force in detail, and I do not think anything further could be given unless the committee should attempt to make an eloquent oration on the subject. All the facts are here.

Mr. BURROWS. Mr. President, I will suggest in relation to this matter that Senate joint resolution 146, for the printing as a Senate document of so much of the hearings before the Committee on Military Affairs as relates to the post exchange or canteen be recalled. It was introduced in the Senate and referred to the Committee on Printing. It directed the printing of 15,000 copies under the supposition that it required the action of both Houses, but an estimate has been made of the cost of the printing of the

hearings, and it is found that it comes within the rule of the Senate, being \$495. I ask that that joint resolution may be recalled and a Senate resolution passed authorizing the printing. There is no reason why the document can not be printed by the order of the Senate at once. I will offer the resolution I hold in my hand as a substitute for the joint resolution.

The PRESIDENT pro tempore. What is the proposition of the Senator?

Mr. BURROWS. There was a joint resolution introduced to authorize the printing of 15,000 copies of the hearings before the Military Committee on the post exchange or canteen. It is found upon examination that, in order to have the printing done, a joint resolution is not required, as the amount of the cost of the printing comes within the rule of the Senate, and the document can be printed simply by authority of the Senate. I ask for the passage of the resolution.

The PRESIDENT pro tempore. The Senator from Michigan moves that the Committee on Printing be discharged from the further consideration of the joint resolution named by him, ordering the printing of 15,000 copies of the document referred to. Is there objection?

Mr. BUTLER. Mr. President, I rise to inquire what the document is which is referred to in the resolution?

Mr. BURROWS. The document relates to the canteen—the portion of the testimony taken before the committee relating exclusively to that subject.

Mr. BUTLER. Mr. President, I thought that the hearings before the Military Committee were ordered to be printed for the use of the Senate. I have in my hand—I have not been able to get a copy printed for the use of the Senate—one of the committee reports of the hearings, but that does not contain the information relating to the canteen. Why is it that this information is in two separate documents? Why is it that it is now proposed to print simply the information in regard to the canteen for the use of the Senate, and as to the other information it is simply proposed to print the hearings for the use of the committee?

Mr. BURROWS. I will say to the Senator that there was considerable demand for that portion of the testimony which related to the Army canteen. The demand was so great that it was thought best to have that portion of the testimony printed separately; and it was supposed that of the testimony relating to the general bill there would not be required such a large print. Therefore that resolution was offered separately.

I simply ask now to have the number of 15,000 copies of the hearings relating to the canteen authorized to be printed by the Senate. It comes within the rules.

Mr. BUTLER. Does the Senator think that the public is only interested in the canteen portion of this bill—that that is the most important feature—and that the public is not much concerned about the other important question, the raising of a large standing army of 100,000 for all time?

Mr. BURROWS. I will state to the Senate and to the Senator that that was the reason given why they should be printed separately. It was thought a greater number of that portion would be required than of the general report.

So far as I am individually concerned—and I presume the committee has no objection—I do not object to the other testimony being printed, to any number that may be wanted. I will amend the resolution, if the Senator desires, to make it 15,000 copies of the regular report of the testimony and hearings on the bill.

Mr. BUTLER. The thing which interests me is to know why it is thought that only the canteen portion of the hearings would be interesting to the public. The Senator said "it was thought that that was the only portion of the hearings that would be interesting to the public." It is quite interesting to know why it was so thought, and who thought it.

Mr. HAWLEY. I think the Senator's trouble arises from the fact that the resolution was to print a large number, and it was supposed to require a joint resolution. If the printing to be ordered costs above \$500, under the law it must be provided for in a joint resolution; but after the joint resolution had been sent to the Committee on Printing the Printing Office made its estimate, and it was found that the printing would come within the \$500 limit. So the reference of the joint resolution should be reconsidered and a simple resolution of the Senate adopted on the subject.

Mr. BUTLER. That is not the point at all. Here is a concurrent resolution offered which we are informed would require both Houses to concur on account of the cost; but the resolution does not include the most important part of the hearings.

The Senator from Michigan said "it was thought" there would be no desire to have the information that was put before the committee as to the most important features of the bill. He thought and said "it was thought" by somebody that the public would not be interested in the other part of the hearings. The canteen part of it does not amount to the snap of my finger in comparison with the remainder of the bill.

The Senator says "it was thought" there was no interest in the

hearings before the committee on anything but the canteen. Of course, if we must have a joint resolution to go before both Houses for the printing of that you might have had a large book containing all of the hearings printed instead of a partial report of a few pages. I want to know why "it was thought" that the public would not be interested in anything but the canteen provision in the bill.

Mr. HAWLEY. A resolution to print a thousand copies of the entire report, outside of the canteen hearings, was passed on Friday, and the report has been printed.

Mr. BUTLER. I say, if that is so, the copies are not for the use of the Senate.

Mr. HAWLEY. The Senator from South Dakota [Mr. PETTIGREW] has a copy of it now.

Mr. BUTLER. I have a copy, too, of a part of the hearings before the committee, but it is printed for the use of the committee only.

Mr. ALDRICH. The copies are here.

The PRESIDENT pro tempore. The Chair is informed that the copies have just been brought in.

Mr. BUTLER. But they have not been printed for the use of the Senate.

Mr. ALDRICH. Yes; they have been.

Mr. BUTLER. Will the Secretary please send me a copy?

Mr. HAWLEY. I am advised that the information which the Senator seeks has been printed for the use of the Senate.

Mr. BUTLER. Was it printed as a Senate document?

Mr. HAWLEY. Yes.

Mr. BUTLER. I think the Senator is wrong. I have not been able to get a copy. Will the Secretary send me a copy of all the hearings which have been printed for the use of the Senate?

Mr. HAWLEY. I do not know what detained it. It ought to be in the document room or in the possession of Senators.

Mr. ALLISON. We can, I think, dispose of this matter in a very brief space of time. As I understand, the Senator from North Carolina and the Senator from South Dakota want all these documents for the use of the Senate in order to inform Senators of the details of this measure. The first part of the document has been already printed and is in the document room. I sent to the document room and got a copy of it.

As to the resolution of the Senator from Michigan for printing the hearings on the canteen question, I suggest that the Senator ask to have printed also a thousand copies of that document, and later on we can furnish the information suggested by the Senator from North Carolina to the people at large who may want to read all this testimony. That will enable us to go on with our work now without delaying the whole subject in order that we may furnish information to the country respecting the testimony. I think that would meet the approval of the Senator from North Carolina.

The PRESIDENT pro tempore. The Chair begs to call the attention of the Senator from Iowa [Mr. ALLISON] to the statement made by the Senator from Michigan [Mr. BURROWS] that the cost of printing 15,000 copies of the evidence relating to the canteen would be \$495. If there was an addition of the other, it would evidently increase the cost beyond the \$500, and would require a joint resolution.

Mr. ALLISON. Therefore my suggestion, in view of what the Senator from Michigan stated, is that we print a thousand copies of the hearings on the canteen question—and I think a thousand will be enough for us to ascertain the situation on that subject—and then, later on, the committee can propose an addition of fifteen or twenty thousand copies of the whole testimony in the form of a joint resolution. I think that ought to be satisfactory to the Senator from North Carolina. If the Senator can get a thousand copies, or his portion of a thousand copies, it will enable us to go on with the debate on the bill.

Mr. BUTLER. What I object to is having the testimony on the canteen question first printed, which is insignificant compared to the important features of the bill, and then to having the remainder of the hearings printed in a separate document with only a small number for distribution. It should all be in one document.

The PRESIDENT pro tempore. This debate is proceeding by unanimous consent. There has been no unanimous consent to receive the resolution.

Mr. BUTLER. Mr. President, I have not objected to the resolution. Therefore I have not objected to the unanimous consent. What I object to is to having a part of the testimony printed in one document and the remainder printed in a separate document. The resolution before us proposes to leave out of the widely circulated document the most important part of the testimony. Here is a proposition to have printed 15,000 copies of an unimportant part of the testimony. Why should not the important part of the testimony be included in it?

What is the purpose of having the matter separated? Because a few sentimentalists, who have worthy intentions and whose motives are good and in the interest of temperance and good order and

discipline in the Army, so desire, is it the purpose to have the testimony separated, so that one part can be sent to those people and the remainder of the information before the committee, which every patriotic citizen should see, can be kept from them? If there are some good people in this country who think the canteen the only important question, then they need enlightenment; for the fact is that there are other questions more important in this bill, or at least equally important with that. Now, why should the testimony which would give them all the information not be printed in one document?

Mr. SEWELL. Will the Senator allow me to interrupt him?

Mr. BUTLER. Certainly.

Mr. SEWELL. I simply want to answer the Senator's question as to why these matters are to be printed separately. I can say, from my own individual experience, that I have had hundreds of letters daily on the canteen question from large numbers of good people in New Jersey and elsewhere—good men and women who are members of the great temperance organizations of this country.

It was not necessary to send them the documents containing all of the testimony in relation to the increase of the army in the Philippines and everything else connected with the subject, and so the matters have been printed separately. Those people were not particularly interested in the increase of the Army, and so we ordered a number of documents containing the testimony in relation to the canteen, so that they might be sent to those good people as an answer to their letters. That is the reason why the matter has been printed separately.

Mr. BUTLER. There is no information to me in what the Senator says, for I knew all that before. His so-called information confirms me that I am right.

Mr. SEWELL. Then the Senator does not desire to be informed.

Mr. LODGE. What is before the Senate, Mr. President?

Mr. BUTLER. I will say to the Senator from New Jersey that his remark is entirely gratuitous, because—

Mr. LODGE. I ask for the regular order.

Mr. BUTLER. Just a moment. I will not be taken off of my feet at this point. I have had the same kind of requests which the Senator from New Jersey says that he has had. I have had ten requests for the hearings on the canteen question where I have had one request for the other hearings. It is simply because I want those persons—10 to 1, or 16 to 1, if you please—to get all the information on the subject instead of only a part of it.

I do not want to take the time to write to each one of them long letters to call their attention to the important features of the bill outside of the canteen provision. When they ask for a part of the information before the committee, I want them to get it all; and it is for the information of my own constituents, as well as for those of the Senator from New Jersey and the remainder of the country, that I desire to have all the information printed together.

Mr. SEWELL. If the Senator desires to do that, he has all of it printed to-day, and he can send both documents in the same envelope.

Mr. BUTLER. I have so far only the committee hearings printed for the use of the committee, and not as a Senate document. I ask that the resolution be amended so that the two documents may be printed together. Does the Senator object to that?

The PRESIDENT pro tempore. The resolution is not before the Senate. The Senator from Michigan [Mr. BURROWS] has asked unanimous consent to present at this time a resolution.

Mr. ALDRICH. I ask the Senator from Michigan to withdraw the resolution. It is very evident that it will lead to prolonged discussion.

Mr. BURROWS. I certainly shall do that, unless it will be agreeable to the Senator from North Carolina [Mr. BUTLER] to have the resolution modified in accordance with the suggestion of the Senator from Iowa [Mr. ALLISON], and have a thousand copies of each of the documents printed for the use of the Senate. That will bring it within the rule of the Senate.

Mr. BUTLER. That is what I object to—having the committee hearings printed separately. I want every person to see all of the hearings. Does the Senator object to that?

Mr. BURROWS. Then I withdraw the resolution.

Mr. BUTLER. I call the Senator's attention to the fact that all I ask is to have the information printed together, so that a person can get it all in one book or document.

Mr. BURROWS. I withdraw the resolution.

The PRESIDENT pro tempore. The resolution is withdrawn.

Mr. MONEY. Mr. President, what is now before the Senate?

The PRESIDENT pro tempore. An amendment to the Army reorganization bill, presented by the committee.

Mr. HAWLEY. On page 27 of the bill, beginning at line 11, and striking out the successive paragraphs of section 20 down to and including line 16, on page 28; that is to say, striking out the

whole provision made by the House of Representatives for a veterinary corps and substituting the Senate proposition, which begins in line 17, on page 28. The question now is on accepting the report of the committee striking out section 20.

Mr. KENNEY. Mr. President, the junior Senator from New Hampshire [Mr. GALLINGER] is detained from the Senate by reason of a funeral. He notified me this morning that he would be back at 3 o'clock this afternoon, and requested me to ask the Senate to pass over that amendment until he shall have returned. While I am myself prepared to submit some remarks on the proposition, I should very much prefer to wait until the return of the Senator from New Hampshire.

Mr. LODGE. Why should we not go on? There is a good deal to be said on the subject, and I think we might as well utilize the intervening time.

Mr. HAWLEY. I again call attention to the fact that the question is on striking out section 20, beginning on page 27 and running down to line 16 on page 28. That strikes out the House proposition for a veterinary corps.

Mr. ALLISON. In view of the suggestion on behalf of the Senator from New Hampshire [Mr. GALLINGER], unless this is the last amendment to be considered by the committee, I would suggest that this had better go over.

Mr. KENNEY. Do I understand from the chairman of the committee that I can proceed with my remarks on the consideration of that Senate amendment?

Mr. HAWLEY. I shall be very glad if the Senator will do so.

Mr. KENNEY. I am prepared to go on if it is the wish of the Senate.

Mr. HAWLEY. That is the question before the Senate.

Mr. KENNEY. Mr. President, I desire to call the attention of Senators to the peculiar situation in which the veterinary-corps amendment is placed by the action of the Senate Committee on Military Affairs. It is well known to every member of the Senate that the Committee on Military Affairs, in May of last year, refused to report favorably an amendment that I sent to that committee, establishing a veterinary corps. When the bill for the reorganization of the Army was before the Senate, I moved the adoption of that amendment. It was agreed to by the Senate, and went to the other House. There it was referred to the Committee on Military Affairs. The adjournment in June following shortly afterwards, there was no action taken in that committee until just before this session, and when the Committee on Military Affairs of the House had acted upon that bill, striking out all of the Senate bill which was passed in May of last year, the veterinary corps was left out; but upon the motion of the distinguished Representative from Pennsylvania, General BINGHAM, the amendment that had been placed upon the bill by the Senate was agreed to in the House in every particular, in every word and sentence.

The bill as amended by the other House came to the Senate, when, contrary to my understanding of parliamentary usage, it was referred again to the Committee on Military Affairs, and was not taken up for consideration by a committee of conference.

When we examine the report of the Committee on Military Affairs of the Senate on the Army bill we find the veterinary corps, as agreed to by the amendment of the Senate and agreed to by the other House, stricken out, and a provision inserted which is claimed, by those who are opposed to the proposition submitted by myself in the Senate amendment of last May, to be sufficient and satisfactory.

I desire to call the attention of the Senate to the report of the Committee on Military Affairs covering that proposition and to invite their attention to the statement—no doubt not intentionally made by the committee, but nevertheless it is misleading—which I read from the report:

An amendment not reported by the committee—

This follows the report of the committee dealing with the action of the House on the Senate bill, leaving the impression upon the mind of any Senator who might examine this report that it was the action of the House and not of the Senate. The report reads as follows:

An amendment not reported by the committee last session was inserted in Senate bill 4300 providing for a formidable veterinary corps.

Mr. President, the committee says the provision was inserted in the House, when, in point of fact, it was inserted in the Senate on my motion to agree to the amendment establishing that corps.

The report continues:

The Senate committee proposes to strike out the section providing for such a corps, which was inserted in the House, and insert in lieu thereof section 16, which in the judgment of cavalry officers and quartermasters grants to the Army a sufficient number of veterinarians with sufficient rank and pay.

Mr. President, I have twice since I have had the honor to occupy a seat in the Senate spoken in advocacy of the establishment of a proper veterinary corps in the Army of the United States. In doing this I have been largely governed by that which obtains in the armies of the great European powers. What is proposed by this amendment, or what was ingrafted into the Senate bill by

the action of the other House after the Committee on Military Affairs had refused to act favorably upon the Senate amendment, is very much less than is the veterinary establishment in any of the great European armies.

It has been contended by some Senators and by officers of the Army that the cavalry officers were better judges of the condition of the cavalry horses than veterinarians. I desire to invite the attention of the Senate to the fact that the horse doctor of twenty years ago is not the veterinarian of to-day. As I have said in this Chamber before, veterinarians in every State of this Union to-day are graduates of colleges and sons of gentlemen. They are fitted to be associated with officers of the Army in commission, whether they be of the line or of the staff.

The cost of this proposition, giving it into the hands of a commissioned class of officers, would not exceed, except by a few thousand dollars, that which is paid to-day for what are called the contract veterinarians. The contract veterinarian has no authority. He to-day does not exercise the same authority in military affairs that a troop sergeant or a corporal would exercise. He has no rank and no authority.

What we desire is an organized corps, with a responsible head, under the Secretary of War, of veterinarians as commissioned officers, but only to be made such after a fit and proper examination under conditions to be regulated by the Secretary of War. There is not to-day, as I understand from those who are in a position to know, in the Army of the United States a veterinarian competent to pass as an inspector of meats.

It is well understood, in fact it has been demonstrated by our experience during the last war this country had, which was with Spain, and our troubles in the Philippines, that much of the food that is issued to the Army of the United States is issued in bulk; and there are not, as I understand, in that Army to-day men competent to pass upon the condition of that food. It is well known that in all the great packing establishments of the United States there are veterinarians appointed by the Bureau of Animal Industry to look after the condition of meat therein packed. And yet those who oppose the service of veterinarians in the Army of the United States are willing that the meat food given to the soldiers of our Army shall go without inspection.

When Senators who are opposed to the establishment of this corps contend that the provisions made by the Senate Committee on Military Affairs when they came to consider the House bill are ample for all purposes from a veterinarian standpoint, they must be ignorant of the fact that section 16, which is the substitute or amendment for the veterinary section of the Senate bill as approved by the House, is in no wise a measure that would improve the present condition of the veterinary corps or the veterinarians of the Army of the United States. Under it they would simply be contract veterinarians or surgeons, without authority, subject to the control and the domination of every enlisted man, if you please, in the Army. No authority would they have whatever. No matter what might be their view of this or that condition of the army horses and mules, they could not by any means in the world, under present conditions or the conditions that are to be imposed by the Senate amendment, exercise any control.

Hundreds of thousands of dollars have been lost to this Government by the failure to have a properly organized veterinarian corps. Horses have been condemned and sold hundreds and hundreds of times for prices that were simply nominal. They were condemned, but not by veterinarian surgeons; not by men who understood the condition or the diseases of these horses, but simply condemned by the Army officer who found for the time being that a horse or a mule was incapacitated for military duty. They were passed on, and when they came into the stable of some great cab company by the expenditure of a few dollars they were made as good as they were when they were first purchased by the Quartermaster's Department of the United States Army.

I contend, that if this corps be organized as proposed, and as it has been indorsed by the Senate and the House, there will be saved to the Government, in the care and proper treatment of diseased horses of the Army, not of the cavalry alone, but of the artillery as well as of the Quartermaster's Department, more money than would be necessary to pay for this service.

I hold in my hand a copy of the Veterinary Journal, printed in Sheffield, England, in which the question of veterinary medicine is treated in connection with the present war which England is waging in South Africa; and I desire that the paragraphs herein marked shall be printed in connection with the remarks I am now delivering.

The waste in horseflesh during the South African campaign has been little short of appalling, and for that waste the inadequacy of the army veterinary department has been largely to blame. Not that the members of that department are responsible for its failure. With the material at their disposal they have done what they could; where they failed, failure was inevitable and could easily have been foretold.

Even were their qualifications all that could be wished, they would have acquired little experience in civil life to deal with the everyday contingencies of a campaign.

In the English army, Mr. President, the proportion of veterinarians to the number of troops is 136 to 17,586; in this country, under the provisions of this amendment, the proportion would be 36 to 34,000; in Austria-Hungary there are 180 veterinarians to 47,380 troops; in Belgium, 35 veterinarians to 6,064; in France, 603 veterinarians to 80,000; in Prussia, 501 to 53,270; in Spain, 236 veterinarians to 14,376. So in the scheme now under consideration the proportion of veterinary surgeons to the troops will be less than that of any of the well-regulated armies of the European nations.

This is not a scheme by which any man may be given a commission, but I look at it from an economical standpoint, involving a proposition by which this Government, under such an organization, will save many, many thousands of dollars by the proper care of army animals, thereby saving them to the Army instead of having them condemned when the disease or trouble is simply temporary.

Not only that, but there is the question of meat inspection, which to my mind is most important, and there is no class of men so able and fitted to treat it. In fact, there are none except properly graduated veterinary surgeons. It is undoubtedly known to every Senator here that in the great universities of this country there have been established within the last few years veterinarian schools which rank very high, and among the students of those schools and post-graduates of those schools there are gentlemen who stand among the first class in this country. It is absurd to say that a veterinary surgeon should not be given the same rank and consideration that are given to the graduate of a medical school. They are gentlemen just as well.

If there be a question as to which should be given the greater consideration, then to my mind he who studies that he may be enabled to relieve the suffering of a dumb animal should have the first place, not the second place, with him who studies that he may treat the diseases of mankind. In the one case the patient is able to explain and tell where his pains and troubles are located. In the other case it is a matter of diagnosis, and the physician of the horse, necessarily, if he be successful, must be superior to the other doctor. There is the difference, Mr. President, and I think if the first place should be given either of those great professions, it should be given to the veterinary surgeon. There is no man who has a higher appreciation of the medical profession than I, but I desire to call your attention, Mr. President, and the attention of the Senate to the differences between those two classes of medical men.

Mr. President, we are advised through the press that the War Department is opposed to the establishment of this corps. In an article which I read this morning there is a letter sent by the Secretary of War, Mr. Root, to the Military Affairs Committee, and I desire that the letter may be incorporated in my remarks.

WAR DEPARTMENT, Washington, January 3, 1901.

SIR: I send you herewith a copy of a letter just received by me from the secretary of the New York State Veterinary Medical Society, commending the position taken by this Department in regard to the proposal to create a veterinary corps in the Army.

Let me also recall to your attention the paper which I left with your committee some time since, signed by a number of the chief veterinarians now in the service, taking substantially the same position. Let me restate the position, in order that there may be no misunderstanding. This Department is not opposed to suitable recognition of veterinarians.

It has no serious objection to giving them military rank, although I do not think it is a wise course to give military rank to civilian employees. What I do object to is the creation of a new corps, with a colonel at the head, reporting directly to the Secretary of War, and thus necessarily creating a new bureau in the War Department, and a body of officers who, communicating directly with the Secretary of War through their chief, are necessarily independent of the commanding officers of the cavalry regiments and the horse artillery organizations. One of the recognized defects of our present Army organization is that of multiple command and division of duties and responsibilities between the officers commanding troops and territorial departments on the one hand and staff officers responsible to a head in Washington on the other.

The result is that it is impossible to fix responsibility for any failure to remedy defects or abuses. The proposed organization of a veterinary corps is but another step in the wrong direction, and will increase the evils which ought to be remedied. The general officer in command of troops ought to be able to hold the officers of the cavalry and artillery regiments responsible for having their organizations ready for active and efficient duty at all times. If the horses of these organizations are under the charge of a veterinary corps, with the chief reporting directly to the Secretary of War, there can be no such responsibility.

Give the veterinarians rank if you deem it wise; but I most earnestly urge that you do not impose upon us another bureau of the War Department, another independent corps, another element of disintegration, divided responsibility, and consequent inefficiency.

Very respectfully,

ELIHU ROOT, Secretary of War.

HON. JOSEPH R. HAWLEY,

Chairman Committee on Military Affairs,
United States Senate.

There is in not a single line or sentence of that letter an argument against the incorporation into the military department of this Government of a veterinary corps. The only suggestion, not an argument, which the Secretary of War makes in this connection is that it would create a separate and distinct bureau—somebody else to report to the Secretary of War. If the good results which I predict will follow the establishment of a veterinary corps

in the Army of the United States, and it is opposed only on the ground that it will create a separate and distinct corps in the War Department of this Government, then I say that there should be no question about its establishment. If there be reason why some corps of the Army to-day should be abolished, there being too many corps, there must be argument to show that those corps ought to be abolished. We come here asking that a corps be established, a new corps, a departure in the military system of this Government, that can not mean anything else than a betterment of the service and a great saving of money to the Department.

What is there in the argument that there are to-day too many corps in the War Department? If that contention can be sustained, we contend that this ought to be established.

Mr. SPOONER. Will the Senator allow me to ask him a question?

Mr. KENNEY. Certainly.

Mr. SPOONER. I do not mean to interrupt the Senator.

Mr. KENNEY. I am glad to have the interruption of the Senator.

Mr. SPOONER. I suppose no one contends that there should not be competent veterinarians connected with the cavalry. The bill provides for that. It also provides, does it not, for the employment of an adequate number of responsible veterinarians in the Quartermaster's Department? The difference of opinion is upon the question whether there should be a distinct veterinary staff corps. Does not the Senator think there should be a dental staff corps? If not, why not?

Mr. KENNEY. I have no objection to that.

Mr. SPOONER. Does not the Senator think there should be a staff corps of these very able and skillful men who make a specialty of that work?

Mr. KENNEY. I will answer, and say I do not think so. I think there is all the difference in the world between a dentist for the Army and a veterinary surgeon, and if the Senator desires I will explain why I think there is a difference.

Mr. SPOONER. It is part of the duties of veterinarians to look after teeth of horses?

Mr. KENNEY. Undoubtedly, sir.

Mr. SPOONER. And it is the business of the dentist to look after the teeth of the men?

Mr. KENNEY. Undoubtedly so.

Mr. SPOONER. It is a specialty, not a part of the practice of the regular physician. This bill provides for an adequate number of dentists, which is certainly very important. Why should there not be a staff of dentists? I will also inquire of the Senator why there should not be a staff corps of chiropodists?

Mr. KENNEY. I have lived long enough to recall a time when I did not know a dentist in that part of the country in which I was reared, and when the people's teeth were treated by surgeons and doctors.

Mr. SPOONER. The Senator will agree that that is not the fact now.

Mr. KENNEY. No, sir; it is not. I admit that.

Mr. SPOONER. A great many of these regiments are to-day on the frontier isolated, and a good many of these regiments are, and undoubtedly are to be, in the Philippines.

Mr. KENNEY. I assume that none of the regiments that are on the frontier or in the Philippines will be without a surgeon—

Mr. SPOONER. Ah, but a dental surgeon!

Mr. KENNEY. Who, I contend, is able to treat the teeth of a soldier in case of emergency; but the veterinarians not only treat the teeth or mouths of horses, but they treat every disease to which those animals are subject. They treat the teeth, if need be; they treat the glanders and all other diseases that may attack army animals, whether they be mules, horses, or oxen. I do not believe the dentists to whom the distinguished Senator from Wisconsin has called my attention would attempt to take a post at some isolated garrison or with some regiment in outlying territory, in the Philippines, and treat men for yellow fever or malarial fever or any of those diseases that have proven so fatal to our troops in the field; but the veterinarian is able to treat all diseases of the horse as well as he is able to treat the teeth of the horse.

Mr. President, I do not remember to have had my attention called to a proposition to be considered by the Congress of the United States that has met with such unanimous approval as has the establishment of a veterinarian corps in the Army of the United States. I understand that the men who form the veterinary association of the United States, made up of that class of gentlemen of whom I have spoken, have for many years been clamoring at the doors of Congress, asking that they be given that rank and consideration to which their profession entitles them. Year after year they have failed, and for three Congresses I have stood here and championed their cause. We succeeded in May of last year in ingrafting upon the then military bill a provision for the establishment of this corps. It went to the House, as I stated at the beginning of my remarks, and was referred to the Committee on Military Affairs, and was there stricken out.

When it came before the House of Representatives in the present session, after full and complete debate, the House reinserted the amendment of the Senate bill. But notwithstanding that in both Houses of Congress the proposition has been indorsed, the Military Committee of the Senate has seen fit to strike it out under the most extraordinary circumstances of legislation that I have ever known, and we are here to-day asking not that this amendment may be again adopted, but only asking the Senate to stand by its record of last May.

Mr. President, I hold in my hand Pearson's Magazine, of the edition of June, 1900, in which there is an article written by V. D'O. Noble, of the Twenty-seventh English Regiment. There are certain paragraphs in it which I will not detain the Senate by reading, but I will ask that they may be inserted in my remarks. I think they are most pertinent.

At Waterloo military veterinary surgeons first came into public recognition and rendered valuable work when the carnage was over, being instrumental in saving the lives of many animals which otherwise would have been dispatched by pistol bullets. They were attached to the ambulance corps, which in those days was in a very primitive stage, and, save for a few knives and drugs, were totally unprovided with instruments possessed by the modern veterinary surgeon. Furthermore, they were not allowed anywhere near the fighting line, and had Wellington been defeated undoubtedly would have left the field without succoring a single animal.

After Waterloo the war office (which had hitherto acted purely on Wellington's suggestion in sending veterinaries to the front) resolved to pay greater attention to this branch of the army, and thus was the foundation laid of the great establishment now known as the army veterinary department.

Rank is of no less importance in the veterinary department of the British army at the front than in the royal army medical corps, and the principal veterinary officer in South Africa is on the staff of Lord Roberts and advises him upon all points connected with the animals in his charge. It is his duty to attend to all the veterinary arrangements of the army on active service. Beneath him are the officers whose work it is to administer to the wounded and incapacitated animals, and they are distributed in the following proportion: Two officers to two batteries royal horse artillery, one cavalry brigade, and ammunition column. A mounted infantry battalion with a machine gun is allowed three officers, and other mounted branches of the service are officered in proportion.

Besides this there are other establishments of equal importance, all of which have to be controlled by veterinary officers of tested ability. The staff at the base and on the line of communication is under the control of 8 veterinary officers; the sick-horse hospitals, whither all the wounded animals are sent, should have 3 officers, and the various remount depots 5 officers each.

Although the English veterinary department is fairly satisfactory, considering the difficulties cast in its way through no provision being made for the wounded horse in the Geneva convention, the veterinary system prevalent in the German army is distinctly better. Up to the Franco-German war of 1870 (in which something like 50,000 horses were slaughtered) the veterinary departments of continental powers were entirely in embryo; in fact, some armies lacked them altogether, such attention as the wounded horse required being given by the farriers. At the outbreak of the war, however, lovers of animals in all parts of the world rose up in arms to prevent the sufferings of dumb creatures on the battlefield, and were, to a certain extent, successful.

Germany's veterinary department, which for years before had been growing in importance, was recognized, and a more perfect system of treatment for wounded horses was instituted, which proved of the greatest utility during the war. Veterinary hospitals were formed on the line of communication, as is being done by the British army in South Africa, and injured animals, instead of being slaughtered wholesale, were treated scientifically.

France, on the other hand, made little amendment in her system, and the sufferings of wounded animals were terrible to contemplate. True, they were collected and attended to, but not before they had been lying incapable on the battlefield very often for days together.

At the conclusion of the war the veterinary department was entirely reorganized, and when France embarked on her next campaign the wounded horses will be treated with as much care as are those of either the British or German armies.

The English Government to-day has on hand a war in South Africa which I understand from my reading demands a greater number of army animals in order to prosecute it than possibly any other war in the history of the world, and this officer of the English regiment calls attention to the deficiency of the English veterinary corps, a corps which I have shown by the figures I have quoted is well established—old—established for years. Yet in the war in South Africa against the patriotic Boers it has proven inadequate, there not being enough of them in order to save to the British Government, as it should, the loss and destruction of army animals.

Our war with Spain was of too short duration to tax to any great extent our military system. Had that war been prolonged, as it might have been and as we had good reason to suppose when it began that it would be, I would not be the only man standing on the floor of the Senate advocating the establishment of a veterinary corps, but we would have had the solid indorsement of the Military Affairs Committee of the Senate in favor of this proposition, because that experience would have taught the people of this country and the Congress that a well-organized and well-governed veterinary corps is necessary to a perfect and complete military establishment in the United States.

Mr. President, while I had expected to submit at another time some remarks on the general proposition involved in this bill, I feel that it would not be out of order to present those ideas during my discussion of the veterinary amendment, if it may be so called. I am one of those Senators who stand ready and willing to vote for any army the President of the United States may say he needs for the purposes of present conditions. But I am not

willing to place in the hands of the President of the United States, whether it be this President or some other President, the power to increase or diminish the Army of the United States at his pleasure. If a hundred thousand men are needed to maintain the flag of our country in the Philippine Islands or upon any other territory that has been acquired by this country, whether by conquest, purchase, or treaty, then I will vote for that army, but not without limit.

We understand what is asked for in this bill; what is necessary under the advices given us by the President; and yet I would limit that Army to three years, and in doing so I desire to call the attention of the Senate to the fact that that would be the term of enlistment, and if, after the expiration of three years, it was found necessary to continue the Army, there would be few men occupying seats in this Chamber or in the other who would fail to respond to the demands of our Government and the necessity that might be upon us at that time. It is much easier to create a great standing army than it is to get rid of it. Let us limit its establishment by time, so that it will not take legislation to reduce it, but so that when the time expires the Army may march home, where the men will go back again into the counting house and the store and the field. Let us not be called upon to pass laws to abolish the Army. On the other hand, as I have said, if it should be necessary to continue that Army, then the Congress of the United States may be relied upon to continue it, and just for so long a time as may be necessary to maintain the dignity and honor of this great Republic of ours.

Mr. President, I do have misgivings as to the purposes for which this Army is to be created. I do doubt, and most seriously so, if there ever will be a time, whether you have 100,000 or 500,000 men, when you will have overcome that spirit of patriotism now dominant in those islands of the Philippines. I do not have any sympathy with those who contend that by mere force of arms we should go and wipe those people from the face of the earth. I agree with the distinguished Senator from Massachusetts [Mr. HOAR] who said the other day that it was a question as to how long it would be before the male population of those islands will be wiped from the territory upon which they live, and how long it will take to get rid of the wives and daughters of the men who have gone before them. If those people are imbued with that spirit of patriotism which possessed our fathers in '76, then I say to you that there can not be raised within the borders of this great Republic of ours enough soldiers to subdue them and bring them as absolute serfs under the control of a people who are ignorant of their customs and ignorant of their language.

Mr. President, why can not this great Government rise to this emergency and say to those people, "Lay down your arms; no more war will we wage against you; we appreciate your struggle for liberty, that sort of a struggle which gave free America to us; we will be the guiding hand and will put you on the highway to a higher civilization and a greater freedom than even to-day, if it be possible, is known among our own people?" How grand and glorious it would be for the American people to stop the butchering and bloodshed in those islands! They are not the worshipers of idols. They have seen centuries of civilization, and all during those years, going back to the time when the first Spanish ship dropped its anchor in those harbors, those men have struggled to be free; and when they saw the most glorious banner that ever floated at the masthead of any ship or went in the front of a battalion landed upon their shores, they hailed it, regarding it as a token of that freedom for which they had struggled and for which their fathers had died.

Mr. President, the American people can afford to take that position. They ought to take it. What returns are we getting for the bloodshed that we are causing those islands? Are there riches flowing from those islands that shut the eyes of the American people to this great crime? I think not. When we are asked by the authorities of this Government, those in control of it, to increase our Army in order that we may maintain the army in the Philippines according to its present strength, I think it is an absolute confession that there is such a struggle on the part of those patriotic men that it is doubtful in the minds of the authorities whether or not it can be quelled.

Mr. President, if the spark of patriotism burns in the bosoms of those men as I think it does they never can be subdued. There are two ways in which this matter should be treated. One of those ways is this: With a sufficient force, and without a gun loaded, we should go into those islands; we should abolish our commission, and say to them "You know what sort of a government you need here; we will see that that sort of a government, in the interests of all the people, in order that justice may be done, shall be established and maintained." We should be there on guard, if you please, and never should the hammer of a rifle be drawn back to fire a bullet at those men.

Do you not believe that if we were to adopt that policy the war in the Philippines would end? Do you not believe if we said to them we were there simply as a guiding hand to put them in a

better condition than they are to-day or ever have been they would welcome us? If we said to them, "We are not here to put you in thralldom; we are not here to shackle your ankles and your wrists; we are not here to make you a dependent people upon a great and powerful nation, but we are here to guide and help you, that you may be strong yourselves, and until that day comes we will stand by and the strong arm of the American Republic will ever be at your beck and call," do you think there would be any war after such a declaration by the people of this country? Mr. President, there has not been a single Senator, no matter upon which side of this Chamber he sits, who has contended that ever within the history of the world the Philippine Islands can be incorporated as a State or Territory or as States or Territories into this Union. God forbid the day when we should see sitting in this Chamber one of those Asiatics in the seat of a Senator of the United States.

The arguments used in regard to the Louisiana purchase and Florida and the Mexican possessions or even Alaska go for naught in this discussion. The conditions in the one case can not be compared for a moment with the conditions in the Philippines. There is a great nation of 10,000,000 people occupying a territory so small that it may be said that the population of those islands is dense. Those people are not roaming bands of savages with a few detached villages or settlements of white men, like the case in Louisiana, Florida, the Mexican concessions, and Alaska.

We are rising up, Mr. President, to-day and making ourselves to all the world known and understood to be a people who have started on a career of imperialism. Was there ever in the history of Rome, and you have read Froude on that subject, a case where imperialism was more in force than is the case to-day in the Philippines? What have those people to do with their government? We are told that they are in rebellion against the authority of the United States.

Mr. President, I understand that there is certain territory within the Philippine Islands in which the American authority is complete, and yet we have not been advised that the inhabitants of those places over which the authority of the United States is unquestioned participate in the government that controls them. We are told by the distinguished Senator from New Jersey [Mr. SEWELL], a soldier of distinction and renown and a member of the Military Committee, that the condition in the Philippines to-day, while it does not result in the great shocks of battle, yet has demonstrated that the loss of life under the conditions of the war in those islands to-day equals that which would be a war in which there were great shocks of battle.

From one end of those islands to the other there is a rebellion, you may call it, or a revolution, or revolt, against the American authority, and I contend that there has never been proof sufficient to the Senate nor to the people of the United States that the United States did ever have authority over those people. While I contend, and I so contended in some remarks that I delivered here, I think, in February, 1899, that the title of the United States was complete over those lands, yet I do contend that the title of the United States has never been complete over those people, and only within that prescribed territory where the arms of the United States are sufficiently strong to protect them against the attack and defeat of the Filipinos are the places where American authority to-day controls.

Mr. President, I read with the greatest pleasure this morning a reported—

Mr. SPOONER. Will the Senator from Delaware allow me to ask him a question?

The PRESIDING OFFICER (Mr. PERKINS in the chair). Does the Senator from Delaware yield to the Senator from Wisconsin for a question?

Mr. KENNEY. I yield.

Mr. SPOONER. I should like to have the Senator from Delaware explain, if he can, the theory upon which he says the United States has complete title to the archipelago, but has not sovereignty over its inhabitants.

Mr. KENNEY. Over the people?

Mr. SPOONER. Yes; sovereignty over its inhabitants. You say it has complete title to the archipelago.

Mr. KENNEY. I will answer that as best I understand it.

Mr. SPOONER. I should like the Senator to explain, if that be true, how it comes that the owner of the archipelago has not sovereignty over its inhabitants.

Mr. KENNEY. The title to the archipelago in Spain at the time of the ratification of the treaty of Paris did pass under that treaty to the United States of America; but I contend that no ratification of a treaty, that no grant of land, according to my idea of civil liberty, could give the control over human souls, and certainly not so long as those people repudiated any right on the part of Spain to even give to the United States by that treaty right and title to the land. I contend that that treaty did give to the United States absolute control over that territory; yet I hold, on the other hand, that no treaty made by any nation, no grant of

territory made by any people or by any man, can transfer the souls of men to new masters.

Mr. President, this question of a great standing army has engaged the attention not only of statesmen, but it has engaged the attention of men of the church, and I found to-day in the Philadelphia Times of January 7, this morning's edition, a brief of a sermon delivered yesterday by the most distinguished churchman of the Roman Catholic Church in the United States, Cardinal Gibbons. I have not in all my reading or study of this great question seen so strong an argument against the establishment and maintenance of a great standing army as is contained in half a column, or thereabouts, of a brief of a sermon delivered by that distinguished churchman in Baltimore yesterday. I will not read it, but I desire that it may be incorporated in the remarks that I make.

The PRESIDING OFFICER. If there be no objection, the request of the Senator from Delaware will be complied with. The Chair hears no objection.

The matter referred to is as follows:

And how does our own country stand on the subject of war? Although the corner stone of the Constitution is peace with all nations and entangling alliances with none, we have had on our hands four wars in the century just brought to a close.

When we read of a great military campaign our imagination revels in the contemplation of the heroic achievements of famous generals. We listen with rapture to the clash of arms, the shouts of the victors, and the sound of martial music. We seem to catch the spirit of enthusiasm by which the combatants were animated.

But we take no notice of the shrieks and agonies of the soldiers weltering in their blood on the battlefield. We have no thought of the sick and wounded lying in hospitals and prisons. We are unmindful of sorrowing wives and mothers at home, weeping and sighing for the loved ones far away. We do not picture to ourselves the homes made desolate, the "Rachels bewailing their children and would not be comforted because they are not."

Is it not a mockery of justice and a scandal to the pagan world to see two Christian nations cutting each others' throats in the name of Christian civilization?

Is it not an outrage to contemplate one nation forcing by the sword her laws, her government, and political institutions on another nation in the interests of trade and commerce, as if merchandise and dollars and cents were of more value than human lives? Is it not monstrous to see a strong power invading a weak one, and seizing her territories on the hypocritical plea of rectifying her boundaries? This rectification of boundaries is a very old practice, and is a polite name for robbery on a large scale.

EUROPE A HUGE MILITARY CAMP.

It is a subject of great concern to the friends of the gospel of peace that Christian Europe presents to-day the spectacle of a huge military camp. All the nations of the Continent as well as England are armed to the teeth and are living in mutual dread and distrust of each other. They are devoured by an insatiable ambition of conquest and dominion or by fear of invasion. When you see heavy clouds surcharged with the electricity of war hanging over these nations, you may expect the thunderclap of battle to resound at any moment. Armed nations, like armed individuals, are a constant menace to one another and are easily provoked to fight.

And these military forces, instead of diminishing, are unhappily increasing every year. As soon as one nation augments its armament its neighbor feels impelled to do likewise in self-protection.

When we consider the immense number of men that are torn from the bosom of their families in the prime of life, that are withdrawn from active industrial pursuits; when we see these young men vegetating in idleness in time of peace, and luxuriating in license and dissipation in time of war, we may form some idea of the moral, material, and social evils resulting from such a system. In contemplating the standing armies the calm observers might be forced to conclude that European governments were primarily established to destroy, rather than to save life, to foster happiness, and develop the resources of a country.

LET US NOT IMITATE FOREIGN POWERS.

May God so guide our legislators and statesmen that they may never be betrayed into imitating European governments by the establishment of formidable standing armies. God forbid that we ourselves, flushed with recent victories, should ever become intoxicated with the wine of imperialism or militarism, but may we always follow the traditions of the fathers of the Republic.

Hitherto we have presented to the world a beautiful spectacle. Europeans, accustomed at home to meet a soldier or gendarme at every street corner, on arriving in this country have been filled with surprise and admiration that a nation of so vast an extent and with such an immense population contains an army of only 25,000 men.

They have been forcibly impressed with the fact that they can travel from Maine to California without meeting a single soldier. They see that every citizen of the United States is a soldier without uniform, engaged in the active pursuits of life, and ready at a moment's notice to defend his country. They would feel that we are a strong nation because we cheerfully bow to the majesty of the law, and are not confronted and intimidated by military satraps. May this fair picture never be defaced.

God grant that the new century which has just dawned upon us may inaugurate a new era of peace, fulfilling the prophecy of Isaiah, "They shall beat their swords into plowshares, and their spears into pruning hooks: nation shall not lift up sword against nation, neither shall they learn war any more."

Mr. KENNEY. When the Administration Senators (and I understand that is a term which may be used when we want to distinguish the Senators on the other side of this Chamber) come to this side of the Chamber and say 100,000 men are needed in order to maintain the dignity and honor of the American flag all over the world, and when they are willing to say to us that three years is enough to subdue the revolution in the Philippines, that three years is enough time to end the troubles in Cuba, that three years is enough time when Porto Rico will be so pacified that it will not take a single American rifle in that island, then I am one of those whose votes will go to give to the American Republic an Army of 100,000 men. And if I were to be here three years

thereafter and it should be demonstrated that it was necessary to continue that Army or to have an Army of 75,000 men for another three years, my vote would be cast in favor of such an establishment.

Mr. SEWELL. Mr. President—

Mr. VEST. If the Senator will allow me, I offer an amendment in the way of a new section to the pending Army bill, which I ask may be read and printed.

The PRESIDENT pro tempore. The amendment will be received and read.

The Secretary read as follows:

Amendment intended to be proposed by Mr. VEST.

Add the following:

"The officers in charge of Westpoint Military Academy shall make and enforce such rules and regulations as will prevent the practice of hazing, and any cadet found guilty of participating in such practice shall be expelled from the Academy, and shall not be reappointed to the corps of cadets therein."

The PRESIDENT pro tempore. The amendment will be printed and lie on the table.

Mr. KENNEY. I ask that the veterinary corps matter may go over until 3 o'clock, when the Senator from New Hampshire [Mr. GALLINGER] will arrive. I do not propose to limit the debate; the debate can go on; but I ask that no final action be taken until after the hour I have named.

Mr. SEWELL. I have no objection to the request. After I have spoken on the subject, if no other gentleman here present wishes to speak, we will not press it to a vote.

Mr. DANIEL. Will the Senator from New Jersey allow me to offer an amendment now?

Mr. SEWELL. Certainly.

Mr. DANIEL. I move to insert after the last part of section 29 what I send to the desk.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. Insert after section 29 the following:

The President of the United States is hereby authorized to select from the brigadier-generals of volunteers two volunteer officers, without regard to age, and appoint them brigadier-generals, United States Army, for the purpose of placing them on the retired list.

The PRESIDENT pro tempore. The amendment will be printed and lie on the table.

Mr. SEWELL. Mr. President, I do not mean to go into the general question, but will confine myself at the present time simply to the proposition to establish a veterinary corps.

The veterinarian of the Army has grown up from men employed at posts originally; the old farrier of the troop has become a veterinarian. But the real veterinarians, the men who educate themselves under the Government, commencing at West Point, are the officers of the cavalry and the light batteries. The man who is the veterinarian of the troop par excellence is the captain of that troop. The man who has spent twenty years in the service attaining that rank, most of his study being devoted to the horse; the officer who every morning at stable call goes down and examines every horse from its head to its fetlocks and applies whatever is necessary to cure him of any disease that he may have, is the veterinarian that we have to depend upon.

Gentlemen who, like the distinguished Senator from Delaware [Mr. KENNEY], will draw on the stories of others in relation to the veterinary service do not know from practical personal experience what the situation is as to the control and care of a horse in the service. However, they may make very fine speeches on the subject, and all that.

The horse is an animal that costs \$125. He is a great friend of man. Nowhere is he better taken care of than in a troop of cavalry, because the officer who controls that troop knows that his life is at stake at all times, and that his horse may save him or his men.

This is a proposition to inject into the Army a new corps, commencing with colonel. As I have said, the accomplished veterinarian of the Army, who has made a study of the horse all his life, takes twenty years to be a captain, but the officer who is to have charge of this veterinary corps comes into the service with the rank of a colonel. The others are lieutenant-colonels, majors, captains, first lieutenants, men who have practically never ridden a horse, who never have stood the shock of battle, who do not know anything about a horse except what they have learned at a college. I believe the class of veterinarians is improving all the time, because the class of horses in private life is improving. It does not apply to the Army a particle.

Here it is proposed that we shall have 1 colonel, an assistant chief, with the rank, pay, and allowances of a major, to be promoted in 1905; 4 veterinarians, with the rank, pay, and allowances of a captain of cavalry; 10 assistant veterinarians, with the rank, pay, and allowances of a first lieutenant of cavalry, and so on. The colonel of this corps must reside in the city of Washington. He reports to the Secretary of War. The officers of it are to be scattered all over the country. The major goes to a post of two companies. Where there is a second lieutenant in command, he takes charge. A man who has never had any experience with men or horses so far as they are applied to war absolutely takes

control of officers who have been in the service for years, managing their own commands under the authority of their post commander and their regimental commander.

Mr. President, anything that interferes with the right of a captain, a major in command of a post, the colonel of a battalion or regiment, the senior officer of a light battery, to say what horses shall go out on a given day, inflicts a serious attack on the Army of the United States. We have seen in times gone by, and probably will not see as much of it again, when an isolated Army post has been notified by a scout that a raid of Comanches was approaching them, when every horse was needed. That would be a nice time for a veterinary surgeon to say, "I have reported to the Secretary of War through the chief of this corps that this horse can not leave here today, or that horse, or a dozen horses." The lives of the men are at stake; the honor of the Army is at stake. The officer in command, if the horse is able to go at all, orders him and rides him to death, if necessary, and he has the approval of the whole Army in doing so.

Mr. VEST. I wish to ask the Senator from New Jersey a question for information. Did I understand him to say that the highest rank a veterinary surgeon in the Army can attain now is captain?

Mr. SEWELL. No; he can not attain that. He has no rank now.

Mr. VEST. Can he not be a lieutenant?

Mr. SEWELL. He gets the pay of a second lieutenant.

Mr. VEST. Without the rank?

Mr. SEWELL. Without the rank. He is a contract veterinarian, the same as a contract surgeon.

Mr. VEST. I beg pardon for interrupting the Senator. I did not understand it.

Mr. KENNEY. Did I understand the distinguished Senator to say that a veterinarian is a second lieutenant? He has no rank.

Mr. SEWELL. He gets the pay of a second lieutenant.

Mr. KENNEY. And no rank.

Mr. SEWELL. He gets the pay and allowances, but no rank. That was agreed to only two years ago in the bill we then passed.

Mr. PLATT of Connecticut. But the committee now proposes to give him the rank of a second lieutenant, I understand.

Mr. SEWELL. No; they propose to give him the pay and allowances of a second lieutenant, and they propose to increase the number 10 more. We have two classes, which were made two years ago, one getting the pay and allowances of a second lieutenant and the other, the old veterinarian, getting the pay and allowances of a sergeant-major. It is proposed in this bill, as a substitute for the bill that came from the House, to make them all of one class, with the pay and allowances of a second lieutenant.

But, Mr. President, I desire to impress upon the Senate the great injustice that is proposed to be done by injecting into the Army a new corps without any reason for it, without the Army desiring it, without the Secretary of War, the General Commanding, or anybody else practically desiring it. It was stated here two years ago, I think, by the Senator from Delaware, that several officers were very much in favor of it. Some officers said they were in favor of veterinarians; as a matter of course, they were all in favor of veterinarians, but they were not in favor of a veterinary corps.

Mr. KENNEY. Mr. President, I desire to interrupt the Senator just one moment.

The PRESIDENT pro tempore. Does the Senator from New Jersey yield?

Mr. SEWELL. Certainly.

Mr. KENNEY. I do not wish to interrupt the Senator's speech, but in reply to what the distinguished Senator has just said I desire to call his attention to the opinions which have been given by Major-General Merritt, General Brooke, General Wilson, General Wheeler, Colonel Hein, General Randolph, Brig. Gen. Charles King, and Colonel Pullman, Quartermaster's Department; and inasmuch as I have been called upon to reply to the Senator's statement that no officers have approved of the proposition, I shall ask that these opinions may be incorporated in my remarks.

Mr. SEWELL. I have no objection to it, Mr. President.

The paper referred to is as follows:

PRESIDENT M'KINLEY.

I am very much interested in this veterinary matter, and you have my best wishes for success. June 26, 1900.

MAJ. GEN. WESLEY MERRITT (RETIRED).

I am heartily in favor of the organization of a veterinary corps for the United States Army. The need of a properly organized corps has long been recognized, especially by officers whose service has been with mounted troops. The cost of such a corps would be small compared with the increase in the efficiency of the animals of the mounted and transportation services and the value of what it would save to the Government. To make such a corps properly effective, the veterinarians composing it should, of course, have commissioned rank.

MAJ. GEN. JOHN R. BROOKE.

I have always favored more scientific care of our Army transportation as well as cavalry mounts, and believe it would be to the interest of the Government to establish a veterinary corps on the lines set out by you.

All efforts heretofore set forth in this direction seem to have failed, but the results of the last war and the large, possibly unnecessary, loss of animals for want of proper care would seem to make this a proper time to bring the matter up for the consideration of Congress. I assure you I am heartily in sympathy with your project and would be glad to see it successful. * * *

MAJ. GEN. J. H. WILSON.

There is no branch of the service so neglected as that of veterinary science and attention to the animals used in connection with the Army. I heartily join in giving my commendation to the measure which is proposed in reference to the organization of a permanent veterinary corps as a part of the war establishment of the United States. Every encouragement should be given to this branch of the service. The officers should be duly commissioned, have promotion in their own corps, and be paid as high salaries as the corresponding grades in the Medical Department. They should, of course, be rigidly examined, not only for admission into the service, but for each promotion which might be made in their own corps. * * *

BRIG. GEN. JOSEPH WHEELER.

For many years while in Congress I urged improvement of the veterinary service of the United States. An efficient cavalry force can not be maintained without an efficient veterinary service. * * *

COL. O. L. HEIN, COMMANDANT OF CADETS, WESTPOINT.

I am heartily in accord with the views expressed * * * on the necessity of a proper veterinary corps in our Army and your proposed organization of the same. * * *

BRIG. GEN. WALLACE F. RANDOLPH, COLONEL FIRST ARTILLERY.

It would be a great saving to the Government. * * *

BRIG. GEN. CHARLES KING.

Until we have such a corps as you contemplate our mounted forces will continue to be seriously handicapped in the future as they have been in the past. I wish you every success. * * *

COL. JOHN W. PULLMAN, QUARTERMASTER, UNITED STATES ARMY.

I consider an army organization seriously incomplete without an efficient veterinary corps. Modern European armies have them, why should not the United States? We are modern and progressive and leading in all military matters, skill, and competency. Why should we be behind in this?

Our veterinary corps to be efficient should be complete, and it can not be complete unless it is independent. Therefore it should be a separate corps—like the Medical Corps, the Quartermaster's Corps, and the other separate and independent staff corps—necessary for a complete working military establishment.

The separate and independent organization is necessary to enable its chief to intelligently and effectively direct individual assignment of members of his corps to positions, stations, and duties fitting the special skill, experience, and reputation of each member, and permitting useful changes and transfers when necessity arises and the needs of the service and altering circumstances develop. In no other way and under no other system can this be advantageously accomplished.

I trust the bill you have outlined will be speedily passed into law. * * *

Mr. SEWELL. I will only say that the Senator was mistaken in thinking so. Here the Secretary of War says positively that General Merritt did not approve it, nor General Brooke either. I think that neither of them meant anything of the kind.

Mr. DANIEL. Will the Senator please give me the reference to the page of the statement of the Secretary of War in the report?

Mr. SEWELL. It is in the hearings on the Army bill, page 90.

Mr. President, this question goes back of the Army and outside of the Army. It is a deliberate attempt, and I do not blame them for it, of the American Veterinary Medical Association to get commissions in the Army, to be recognized and to have a corps of their own. I ask the Secretary to read the marked paragraphs in relation to the meeting of the American Veterinary Medical Association held at Detroit, Mich., on the 4th, 5th, and 6th of September, in the year 1900.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

In order that we may make an intelligent campaign before the reconvening of Congress, our State secretaries, in conjunction with the officers of the State veterinary associations, will appoint committees and subcommittees for each State and Congressional district. You will be furnished with a list of Senators and Congressmen in your State, and you are begged to join with the committees in obtaining from them, when they have leisure at home, an interview to place the subject before them and secure from them renewed promise of support for our bill next December.

For any misunderstanding of the subject or argument in opposition we will send you at once the necessary facts in answer.

Here in Washington your Representatives are too busy to go into details and leave matters to committees. Obtain their interest while they have time at home.

In the coming election remember: An old Representative is worth five new ones if your friend, and is worse than ten new ones if against you. Experience teaches them how to legislate.

Interest the members of your State legislature and obtain their influence to secure a fair hearing from your Senators.

We demand an organized veterinary corps as provided for in S. 4300 when this bill passes, or as a part of the first Army bill which does pass in its place when Congress reconvenes.

Any compromise, simply of rank, without reorganization, will not increase the efficiency of the Army, and will set back the proper recognition of the profession a quarter of a century.

This is a question of merit, economy, and necessity for the efficiency of the Army, and is not a political one, as the following names of some of our supporters show:

Senators: ALLISON, FRYE, GALLINGER, HALE, WOLCOTT, BACON, CLAY, KENNEY, MCENERY, and MORGAN.

Congressmen: CAPRON, HULL, JOY, MERCER, TAWNEY, ALLEN (Mississippi), CLAYTON (New York), GAINES, LENTZ, and SULZER.

Mr. SEWELL. Now, Mr. President—

Mr. SPOONER. Before the Senator proceeds, will he pardon me if I ask him a question?

Mr. SEWELL. Certainly.

Mr. SPOONER. I feel as the Senator does about the creation

of this staff corps of veterinarians, but I wish to ask the Senator what objection there is to giving to the requisite number of veterinarians the rank, so that if a man serves twenty years or more as a veterinarian he may retire on the pay of a first or second lieutenant?

Mr. SEWELL. I will answer that. The veterinarians are emerging from what may be called the obscurity of their standing in the Army, and from the fact that we have already given one class of them the pay and allowances of a second lieutenant, and are likely to do the same with the others, we are gradually getting to give them commissions of the lower grade. We have not reported it yet, but it will gradually grow in that direction. There is no recommendation from the War Department to do it.

Mr. SPOONER. I notice that in this hearing, on page 91, Senator PROCTOR put the following question to the Secretary of War:

It is getting to be treated more and more as a profession, and they have colleges, one quite prominent one in Canada; and so I ask, in view of the fact that the House has passed this outrageous provision—as I think it is—though I do not suppose there is any substantial difference in the committee—would it not be well, Mr. Secretary, in this bill, to have an alternative proposition—there is nothing in your bill about them—say, giving them a rank of first or second lieutenants, second lieutenants for the time, and then first lieutenants? I ask for information.

To that the Secretary of War responded:

I think that is very reasonable.

Mr. FORAKER. Will the Senator allow me to call his attention to the fact that in the letter of the Secretary of War dated January 3, 1901, and just now laid upon our desks, he concludes by making a similar statement?

Mr. SPOONER. The objection of the Secretary of War is not to giving them rank.

Mr. FORAKER. No; he says give the veterinarians rank if you deem it wise, but he opposes the establishment of a separate corps.

Mr. SEWELL. I will state that he never recommended it, and the Military Committee have got to get their recommendations largely from the War Department. They come from the officers of the Army, from the different forces, and from the War Department. We take from the Department, from the recommendation of the Secretary of War, our cue as to the governing elements of the Department. I should like to have read the remarks of the Secretary of War on page 90 of the hearing before the Committee on Military Affairs.

The PRESIDENT pro tempore. The Secretary will read as indicated.

The Secretary read as follows:

The CHAIRMAN. Well, I think we are ready to go to something else.

Secretary ROOT. We pass to the veterinary corps. You will remember after you reported the bill at the last session the clause providing for a veterinary corps, with a colonel at its head, was put in on the floor of the Senate. The same thing has been put in by the House and in the same way. The House committee was opposed to it, as you were opposed to it, and it was put in on the floor of the House. It was put in on statements made, unquestionably in entire good faith, to the effect that there was a general agreement by military authorities in favor of it. The statement was made on the floor of the House that the President was in favor of it. The President and his Secretary of War certainly are not at issue on that question. He is not in favor of it. The statement was made that General Miles was in favor of it. The statement was a mistake; he is not; I have here a written statement to that effect. The statement was made that the Quartermaster-General, General Ludington, who has charge of purchase of horses for the Army, was in favor of it. The statement was a mistake; he is not. I have his written authority to that effect. The statement was made that General Merritt was in favor of it.

General Merritt made a statement, and it appeared in the CONGRESSIONAL RECORD last session, that he is in favor of a veterinary corps, but totally opposed to the creation of a new bureau in the War Department, and that is what this creates. The provision is for a colonel, 4 majors, 10 captains, 10 first lieutenants, and 20 second lieutenants. The colonel is to report directly to the Secretary of War. Now, take the full force and the strength of that. What does it mean? Where is the office of this colonel to be? He is to report to the Secretary of War. That means he is to be in the War Department. And you have got another bureau of the War Department. The officers of the corps will be under the direction of a colonel, just as the officers of the Engineer Corps are under the direction of the Chief of Engineers.

The colonel of cavalry, who, when he is ordered out, ought to be held responsible for having not only his men but his horses fit for duty, is relieved from that responsibility because the Secretary of War is charged with it, through this new bureau of the War Department—through this chief of the veterinary corps. And I protest against it as being the reversal of all the principles of sound administration and an increase of the evil that now oppresses the American Army, which is an excess of multiple command—too many bureaus and too much staff control. I do not object to having competent veterinarians, I do not object to their having rank which will enable them to take places in the headquarters and be treated on a different basis from the enlisted man; but I submit that the officer who has charge of the horses of a regiment should be under the command of the colonel of the regiment, and not an independent officer, receiving constant instructions and communications from the Secretary of War through the head of the bureau, which will be superior to the control and the directions and the discipline of the colonel of the regiment.

Senator COCKRELL. Suppose the colonel of cavalry was ordered to make a certain movement, to take with him a certain number of men. His veterinarian examines the horses, we will say, and finds a certain number unfit for duty, and his commands prohibit those horses from being used. What would the colonel do?

Secretary ROOT. I do not know; he could not do anything.

Senator PROCTOR (addressing Senator COCKRELL). You would shut the veterinarian up in the guardhouse; that is what you would do.

Senator COCKRELL. Suppose the veterinarian says the horses are unfit to be ridden, and the colonel then orders them out anyway and the veterinarian

stops them, there would be a little collision. We all know what would be the result if there was a good colonel in command. But suppose those men are commissioned and the veterinarian in a regiment has equal authority with the colonel of cavalry, then it would be a difficult matter to settle.

Secretary ROOT. I do not know any principle so important in administration as that responsibility shall be fixed. It does not make much difference how you change leaders if you can fix the responsibility on somebody—hold somebody responsible. You will then get along. But just as soon as you begin to divide up responsibility, so that you shift it off on to somebody else, you are gone.

Senator WARREN. Is there any law under which these veterinarians of long service could be retired or in any way provided for in their old age?

Secretary ROOT. If you make them second lieutenants, they can be retired, of course.

Senator WARREN. I know of one who has been in thirty-eight or thirty-nine years as a veterinarian. When you provide for your examination and the raising of certain ones to the rank of second lieutenant, he may fail to pass, although he is looked upon, and I guess as a matter of fact he is, one of the most competent men in the Army in the West. But his book learning is not up to the point. There is a man who has spent his entire life in the service and he will receive no benefit by this proposed legislation. There is no way of providing for him?

Secretary ROOT. No; not that I know of. I believe there are six of them. Senator COCKRELL. Is there no way of providing for these clerks that have been in the Departments all their lives?

Secretary ROOT. None; and it would be a rash committee that would report in favor of such a measure.

Senator PROCTOR. It is getting to be treated more and more as a profession, and they have colleges, one quite prominent one in Canada; and so I ask, in view of the fact that the House has passed this outrageous provision, as I think it is—though I do not suppose there is any substantial difference in the committee—would it not be well, Mr. Secretary, in this bill, to have an alternative proposition—there is nothing in your bill about them—say, giving them a rank of first or second lieutenants, second lieutenants for the time, and then first lieutenants? I ask for information.

Secretary ROOT. I think that is very reasonable.

Senator WARREN. It seems to me that the second man ought to be provided for. If a man is worth anything as a veterinarian, he is worth more than \$75 per month.

Senator SEWELL. The chief man gets \$125 per month now. There are two in each regiment. You might give him the pay and allowances of second lieutenant; that would allow him to retire.

Senator WARREN. Your second man has to be wholly in charge of certain horses; he has got to be a good veterinarian or else he is nothing at all, and I do not think \$75 a month is enough for him.

Senator SEWELL. The captain of the troop must be a good horseman; he must know all about horses. He has taken twenty years to arrive at his rank, and when the troop is taken to an isolated position the captain has to see to it that every horse is in condition to be ridden, and it is not right that they should be under the control of anybody who can say "You can not take those horses." As a matter of fact, they have to be ridden to the death if necessary.

Secretary ROOT. Here is a proposition signed by four veterinarians of the first class, from the Fifth Cavalry, the Tenth Cavalry, the Seventh Cavalry, and the Sixth Cavalry. It is a letter to the Adjutant-General. I will read it—

Mr. SEWELL. Mr. President, I do not desire that the reading shall be further continued.

I would say in relation to the question of rank for these officers, that I personally sympathize with them. I believe they ought to be encouraged after what has been done about educating them. I would not myself have any objection to making them second lieutenants, with the pay and allowances of second lieutenants of cavalry.

I desire, however, to present some other papers in this connection. I ask to have read the letter of Claude D. Morris, V. S., secretary of the New York State Veterinary Medical Society, which society does not take any part in this contention.

The PRESIDENT pro tempore. The Secretary will read as requested.

Mr. SEWELL. I will present the whole document, beginning with the letter of the Secretary of War, which contains the letter of Dr. Morris, and then letters from General Miles and General Ludington, all of which are contained in the Secretary's letter.

The PRESIDENT pro tempore. Does the Senator from New Jersey desire the letter of the Secretary of War to be read?

Mr. SEWELL. I should like to have the letter of the Secretary of War read, and also those I have mentioned contained in the same document.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

WAR DEPARTMENT, Washington, January 3, 1901.

SIR: I send you herewith a copy of a letter just received by me from the secretary of the New York State Veterinary Medical Society, commending the position taken by this Department in regard to the proposal to create a veterinary corps in the Army.

Let me also recall to your attention the paper which I left with your committee some time since, signed by a number of the chief veterinarians now in the service, taking substantially the same position. Let me restate the position, in order that there may be no misunderstanding. This Department is not opposed to suitable recognition of veterinarians. It has no serious objection to giving them military rank, although I do not think it is a wise course to give military rank to civilian employees. What I do object to is the creation of a new corps with a colonel at the head, reporting directly to the Secretary of War, and thus necessarily creating a new bureau in the War Department, and a body of officers who, communicating directly with the Secretary of War through their chief, are necessarily independent of the commanding officers of the cavalry regiments and the horse artillery organizations. One of the recognized defects of our present Army organization is that of multiple command and division of duties and responsibilities between the officers commanding troops and territorial departments on the one hand and staff officers responsible to a head in Washington on the other.

The result is that it is impossible to fix responsibility for any failure to remedy defects or abuses. The proposed organization of a veterinary corps is but another step in the wrong direction, and will increase the evils which

ought to be remedied. The general officer in command of troops ought to be able to hold the officers of the cavalry and artillery regiments responsible for having their organizations ready for active and efficient duty at all times. If the horses of these organizations are under the charge of a veterinary corps, with the chief reporting directly to the Secretary of War, there can be no such responsibility.

Give the veterinarians rank if you deem it wise, but I most earnestly urge that you do not impose upon us another bureau of the War Department, another independent corps, another element of disintegration, divided responsibility, and consequent inefficiency.

Very respectfully,

ELIHU ROOT,
Secretary of War.

Hon. JOSEPH R. HAWLEY,
Chairman Committee on Military Affairs, United States Senate.

NEW YORK STATE VETERINARY MEDICAL SOCIETY,
Binghamton, N. Y., December 31, 1900.

Hon. ELIHU ROOT,
Secretary of War, Washington, D. C.

MY DEAR SIR: The position you take in relation to the veterinary-corps bill is quite in accord with the sentiments of many of the best veterinary practitioners in the country.

The profession at large is not at heart asking for the enactment of this measure. It is not clear to the minds of many the necessity for a veterinary bureau, while we all agree as recognizing the importance of a high-grade service for the cavalry. The profession all over the country has been urged by the gentlemen who are fathering the scheme to render every possible aid in the endeavor to obtain a favorable consideration by Congress, and no doubt much of the request in behalf of the bill from constituents to Senators and Representatives is in obedience to this solicitation.

Our society at its annual meeting September last did not consider this matter, although Dr. Huidekoper was present, and it is presumed he was there for the purpose of enlisting support, but learning there was some opposition no doubt considered that no indorsement from the society was safer than an average resolution.

I am not speaking for the society as against the bill, but simply to say that the State society is not on record in behalf of the bill. As a private practitioner I have written our Senator, Hon. CHAUNCEY M. DEPEW, stating my objections to this measure.

With sincere consideration and esteem, I beg to be,

Very respectfully,

CLAUDE D. MORRIS, V. S.,
Secretary.

HEADQUARTERS OF THE ARMY,
Washington, D. C., December 8, 1900.

My views concerning the veterinary surgeons for the Army are shown by my letter to the Secretary of War dated February 22, 1896 (copy inclosed herewith), together with draft of bill suggested at that time (copy also inclosed).

Since that time we have had a large army scattered in two hemispheres, including a large number of public animals requiring the services of veterinarians. It is my opinion that an adequate number of skilled veterinary surgeons is necessary for the Army, but I have never recommended the creation of a separate corps or bureau and do not think such would be advisable, and I am of the opinion that whatever number of veterinary surgeons is authorized they should be subject to assignment to duty where they may be required, in a manner similar to that provided for officers of artillery in section 7 of Senate bill 4300 as it originally passed the Senate.

The question as to whether these veterinary surgeons should have the assimilated rank of second lieutenants, first lieutenants, captains, and, possibly, that of major I have always left for the consideration of the Department or Congress.

NELSON A. MILES,
Lieutenant-General.

WAR DEPARTMENT,
QUARTERMASTER-GENERAL'S OFFICE,
Washington, December 8, 1900.

To the honorable the SECRETARY OF WAR.

SIR: I have the honor to acknowledge the receipt of your communication of the 7th instant relating to the establishment of a veterinary corps, in which you state that I was spoken of on the floor of the House, the other day, together with some other military authorities, as being in favor of the establishment of a veterinary corps for the Army, and, presumably upon the strength of these authorities, the House voted for a corps composed of a colonel, a major, 4 captains, 10 first lieutenants, and 20 second lieutenants, the chief of the corps to report direct to the Secretary of War, and asking whether I favored the establishment of such a corps.

In reply I have the honor to state that I have not expressed my views favoring the establishment of such a veterinary corps as indicated above, and therefore there is no warrant or authority for anyone to quote me as favoring such a measure, nor do I recommend such a corps.

Very respectfully,

M. I. LUDINGTON,
Quartermaster-General, U. S. A.

Mr. SEWELL. Now, Mr. President, I desire to have read the request of the veterinarians at present in the service, a short statement on page 92 of the hearings before the Military Committee.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

THE ADJUTANT-GENERAL UNITED STATES ARMY,
Washington, D. C.

SIR: Believing that the War Department is in favor of recommending legislation favorable to the Army veterinarians during the coming session of Congress, and knowing that our views on this subject have never been sought, we, the undersigned, first-class veterinarians of the United States Army, with years of experience in the service and being conversant with the conditions surrounding animal transportation and treatment from a military standpoint, respectfully submit our views solely with the object of being thoroughly understood in this connection.

First. We believe that the number of veterinarians to a regiment as now organized is ample, and that the light artillery should be provided with a proportionate number.

Second. We are not now, nor never have been, in sympathy with a movement by certain individuals who are at present endeavoring, through legislation, to establish a veterinary corps in the Army of the United States, knowing as we do that such a corps is unnecessary and superfluous.

Third. We respectfully request that the War Department recommend that the veterinarians of the first class now in the service, who have successfully passed the recent examinations, be appointed as first lieutenants of cavalry, previous service as veterinary surgeon and veterinarian in the Army to be allowed in computing pay and retirement.

That the veterinarians of the second class now in the service be appointed second lieutenants of cavalry, subject to examination, and that some provision be made for continuing in the service or retiring those with twenty years' service or over who fail to pass such examination, and that previous service be allowed those of the second class who pass the prescribed examination.

Fourth. That hereafter all appointments to vacancies be made after a competitive examination.

Respectfully submitted.

GERALD GRIFFIN,
Veterinarian First Class, Fifth Cavalry, Mayaguez, P. R.
C. D. McMURDO,
Veterinarian First Class, Tenth Cavalry, Manzanillo, Cuba.
DANIEL LEMAY,
Veterinarian First Class, Seventh Cavalry, Habana, Cuba.
WILLIAM V. LUSK,
Veterinarian First Class, Second Cavalry, Matanzas, Cuba.

Mr. SEWELL. Mr. President, I have but very little more to say on this subject. I merely wish to endeavor to impress upon the Senate this one idea: That the discipline of the Army and the safety of the cavalry and artillery as represented by their live stock depends upon the troop and battery commanders. It does not depend on a veterinarian, and no veterinarians should be sent to a post hereafter if he holds a rank higher than that of the commanding officer. He ought not to be able to distribute the horses of that command as against the wishes and desires of the man who has to fight them.

The Senator from Delaware [Mr. KENNEY] spoke of the custom in the English army and of the large war they have now on hand.

Yes, Mr. President, they have had 100,000 horses and mules from this country alone, and they are here now buying 50,000 more. They brought them from Europe and they brought them from the East Indies, and and it is too bad that the veterinarian corps of 108, or a regiment, or whatever it is, should allow all these horses to die off in such a short period. The horse that has gone to South Africa up to this time has lived but six weeks after he was landed. The fact is that the English have a large veterinary corps, but the officers of the English army—and I think this remark will apply to the French; not so much to the Germans, possibly, because there is too much discipline there—never do anything at the stables, whilst our officers do. Their education and their daily labor is to look as much after the horses as after the men, and consequently in the service of European armies, like the English, it is left to the veterinary corps, and the result is 100,000 horses and mules were killed in one campaign.

Mr. LODGE. Mr. President, I desire to say a few words upon this proposed amendment. I do not think that anyone doubts or is disposed to question the immense importance of the veterinarian to the modern army, nor do I think anyone is disposed to question that there has been an enormous advance in veterinary science of late years, and that the work of the men engaged in the care of horses has changed from a very rude to a very scientific practice. I must say I think everyone, so far as I am aware, is anxious to do everything that is proper for the veterinarians of the Army, to give them suitable rank and suitable pay; but, Mr. President, what is proposed here is something very different from that. It is proposed by the House amendment to make a great corps of the veterinarians; to take some man, some doctor, out of civil life or who has never been in the service more than six months, perhaps, in the Spanish war, bring him down here to Washington, put him in a bureau in the War Department, cover him with gold lace, and make him a colonel of the Regular Army over the heads of men who have served this country all their lives long.

There is no justice in that, Mr. President; there is no justice to the veterinarians, and there is bitter injustice to the men who are in the line and have given their entire lives to the service.

Mr. KENNEY. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield?

Mr. LODGE. Yes.

Mr. KENNEY. I will ask the Senator from Massachusetts upon what authority he says that this bill proposes to bring some man out of private life, make him a colonel of this corps, and cover him with gold lace?

Mr. LODGE. Oh, Mr. President, the proposition leaves the door open for that. We all know what is behind this bill.

Mr. KENNEY. I want to know if the Senator would suppose that the President of the United States would go outside of those veterinarians who to-day have made themselves distinguished in the Army of the United States, appoint some man from civil life, and cover him with gold lace instead of appointing one of those men who have shown their ability to perform the duty?

Mr. LODGE. I did not yield to the Senator to discuss what the President of the United States would do. The point is that this can be done. A man can be taken from civil life who never served in the Army at all; a man can be taken who perhaps has seen six

months' service in the Spanish war, or you can take a veterinarian from the Army or anywhere you please and put him at the head of this proposed corps. The door is open to do just that—to take some man, place him here at Washington, give him a lot of rank and gold lace, and also authority over men who have served in the Army for years. We wish to do justice to the veterinarians. We desire to give them, I think, proper rank and proper pay; but in doing that we do not want to do an injustice to other men.

The most vicious part of this scheme is the proposition to establish a new corps. I can not add anything on that point to what has been said by the Secretary of War in the admirable letter which has just been placed upon our desks. The whole thing is there.

We are making a great struggle in this Army bill to get an improved organization of the Army, to get rid of some of the dispersion and confusion and disorganization which now exist under our present system and to replace it with concentration and better organization. This is a proposition to add to the existing evils which we all feel are in the present organization. It is to make another corps, another bureau, and more dispersion, when our object ought to be concentration and simplicity.

If I should talk for an hour I could not put it better than it is put in the single sentence with which the Secretary of War closes his letter. He says:

Give the veterinarians rank if you deem it wise, but I most earnestly urge that you do not impose upon us another bureau of the War Department, another independent corps, another element of disintegration, divided responsibility, and consequent inefficiency.

We know from the letter to which that is a reply that the veterinarians of the country are by no means united on this matter. They have been skillfully organized; they have been skillfully instructed where to write and how to move. There never has been a better managed campaign than the one that has been made in behalf of this measure. Letters have been poured in on us from all sources. But the veterinarians of the Army—and now it appears many of the veterinarians outside—see the absurdity of building up this new corps. Do them justice, give them rank, give them proper pay, give them all that belongs to men of scientific training and proper education, but do not put them in a position where they are going to enter into immediate conflict with the regular line of the Army, and cause confusion and lack of proper organization everywhere. It seems to me that it is a bad principle.

Mr. President, I desire to say something which goes a little farther than the question of this veterinary corps with regard to the bad principle which I think this proposition illustrates. I am not going to discuss the question of standing armies. I do not believe there is anybody in his sober mind who imagines for a moment that the liberties of this country are going to be destroyed by a hundred thousand men. I do not believe there is any intelligent, sober-minded man who thinks that the American citizen who loves his country, and who is ready to die for her one minute, becomes an easy tool of tyranny the moment he puts on that country's uniform. I do not believe that anybody really thinks in his heart that the American Republic is in danger if we have an Army of 100,000 men here. This was all very well as one of the humors of the campaign, but it is not worth while to consider it seriously here. The American people are against large standing armies. But a hundred thousand men is a very small one for a nation of 70,000,000 people—too small, if they need more; too large, if they need less.

The whole principle of our people is against standing armies, and there is no danger that we shall ever go back on that principle. There is no danger that we shall ever build up an army voluntarily in Congress, which appropriates money for its support every year, in order to overthrow the liberties of the country. I think we may neglect that part of the question.

Nor, Mr. President, do I mean to enter at any length into a discussion of the Philippine question. That is a vast subject, which we discussed here at the last session by and large, up and down, for days and days, with great elaboration. I do not think there is any need of traveling over that ground again, and if I desired to do so, I could not find anything to add to the terse, admirable, and vigorous statement which was made by the Senator from Montana [Mr. CARTER] the other day.

We all know really what the condition there is. We know that organized resistance is ended; that the local "George Washington" is in hiding; that his cabinet is mostly in prison. There is a great deal of disorder throughout the Philippine Islands, and there is a great deal more than usual owing to the fact that there has been a war there. I believe myself—and I have a great many letters from those islands, owing to my being chairman of the Committee on the Philippines—that those troubles are declining, and that they will die out. That it will take a good while for them to do so I have no question, but that affairs are tending that way now I am equally without question.

Now, Mr. President, such being the situation, the question of what shall be done in the Philippines is one for the best judgment

of the military authorities, of the President, and of Congress, and the Military Committee has formed its opinion on the best information it can get. That it is going to take us some time to deal with the disorders in the Philippines I have already said, and if Senators will take the trouble to read the history of the Philippines they will find that there have been outbreaks and troubles among those people during the past three centuries, ranging from great uprisings and massacres by the Chinese, and of the Chinese, down to the chronic war which Spain carried on with the Mohammedans, the Moros of the southern islands. There has been periodic fighting in those islands, disorders among savage tribes, fighting of the Moros, troubles—sometimes of great magnitude and sometimes slight—from the time of the Spanish settlement. There has been just the same result there that there is everywhere where you bring a high civilization—an outside civilization—into contact with people more or less civilized or more or less savage. There is sure to be conflict.

It does not lie in our mouths to speak of it as such a horrible surprise. We have been fighting the Indians at short intervals ever since we landed here, nearly three hundred years ago. The fight has been going on steadily, and it only ended when our Eastern and Western frontiers came together and the Indians passed finally into the body of the population. So I say that the question in the Philippines is a practical one—one as to how many men are needed—and it is one for experts to decide. I am willing to trust men who have given it consideration, both in the Departments and in the Senate, the Secretary and the committee, the President and the men who understand it, and who are specially charged with this great responsibility.

What to me is infinitely more important than the number of men to be voted is that we should now make a good organization of our Army. Far more important than the number of men is it that we should make an army, which, whether it be 25,000 or 100,000, shall be the most perfect instrument of its kind in the world, and one which we can expand at any moment, whenever the hour of danger comes, into a great weapon of the highest efficiency. What we need is an army organization highly effective, perfectly composed, above all things elastic, and which can adapt itself to our system of calling on volunteers when danger comes to the country.

Mr. BACON. Will the Senator from Massachusetts permit me to ask him a question?

Mr. LODGE. Certainly.

Mr. BACON. I do so for the purpose of getting the views of the Senator, who is chairman of the Committee on the Philippines. I venture to ask the Senator whether or not I am to understand from what he has stated, in view of our experience in the Philippines (and considering the history of that people for the past three centuries) and our experience with the Indians, both of which have been stated by him, that it is the opinion of the Senator that we are to have a similar experience with the Philippines in the future; in other words, that for an indefinite time in the future, as the Filipinos have had with Spain and as we have had with the Indians, we are to have continuous war with those people?

Mr. LODGE. Mr. President, I do believe that we shall in a very short time, comparatively speaking, have peace and order throughout the great body of the Philippine Archipelago. I do not believe that under our Government, or their own government, or anybody else's government there will ever be a time, within reasonable range, when you can expect that there will never be outbreaks from men like the Moros of the southern islands or the totally wild tribes of the interior of the other islands. For instance—to explain what I mean—if we should take off our hands and take away our gunboats, I have not any doubt that the piracy of the Sulu seas would break out again at once.

Mr. BACON. Does the Senator mean to have me understand, in reply to my inquiry, that, with the exception of piracy upon the Philippine seas, he thinks within any reasonable time there will be such peace in those islands as will not make a large standing army necessary?

Mr. LODGE. My judgment is that within a very short time—comparatively speaking, a very reasonable time—those islands will be in greater peace and order than they have ever known. If the Senator will allow me, I do not want to discuss the Philippine question. I expressly said so. I said only a few words about it. I should like to go on with what I do wish to say.

Mr. BACON. I did not ask the question with reference—

Mr. LODGE. I tried to answer the Senator.

Mr. BACON. I did not ask the question with reference to the Philippine problem, but with reference to its application to the question before us.

Mr. LODGE. I intended to answer the Senator to the best of my ability. I understood he wanted my opinion.

Mr. BACON. I wanted it for the purpose of drawing a conclusion as to whether or not a large standing army would be necessary for an indefinite time in order to maintain our authority

there, or whether that necessity would, in the opinion of the Senator, within a very short time disappear.

Mr. LODGE. The Senator and I differ so hopelessly on the first terms that I do not think any answer I can make would be of use. He talks about a large standing army. I do not call 100,000 men a large standing army, if the necessities of the country require it. For a people of 80,000,000 it is a small standing army. I should be glad to see it 25,000 men. I do not believe in the principle of standing armies any more than the Senator does, but I do not call this a large one. This bill, as I understand, provides for 54,000.

Mr. BACON. Therefore, as I understand the Senator, independent of any needs in the Philippines, the Senator would be in favor of the present bill?

Mr. LODGE. Not in the least. I have said over and over again, and I am sorry I can not make the Senator understand—

Mr. BACON. It is, of course, my want of understanding.

Mr. LODGE. That if an army of 54,000—what this bill calls for—is too large, I want it reduced; if not large enough, I want it increased. I think all this talk about our liberties being endangered by 100,000 men—well, I can not say what I do think about it.

Mr. BACON. The Senator will pardon me for making a remark, and I will not interrupt him any more. The Senator has been selected by his party as chairman of the committee having particular charge of legislation in respect to the Philippine Islands. I have ventured to seek some light from the Senator, but as he is unwilling to give it, and attributes—

Mr. LODGE. Oh, Mr. President—

Mr. BACON. I will ask the Senator to let me finish the sentence, and I will not again disturb him.

Mr. LODGE. The Senator is on the floor by my courtesy.

Mr. BACON. I will not further trespass upon the Senator if he puts it on that ground.

Mr. LODGE. Not at all. I am perfectly willing, if the Senator will allow me to say a word, that is all.

Mr. BACON. I shall not interrupt the Senator. He can proceed.

Mr. LODGE. I am perfectly willing to yield.

Mr. BACON. I have not interrupted him very frequently in the past, and I never have interrupted him with any result which was at all satisfactory. I am not in the habit of unduly interrupting Senators.

Mr. LODGE. Oh, I can easily understand that I have never been able to satisfy the Senator. I have never known anyone who could, and I pretend to no special talent. What I said was that I tried to answer his question. His question, as I understand it, was what my opinion was on a certain point. I have given that opinion. I am ready to give it again if the Senator desires. I do not care to go into the whole range of the Philippine question.

Mr. BACON. Well, as the Senator changes his aspect and invites it, I should like to have his opinion, the Senator being now in a frame of mind where he is willing to give it.

Mr. LODGE. Will the Senator kindly tell me just what he wants?

Mr. BACON. Yes; I will with pleasure, provided the Senator will permit me to do so—

Mr. LODGE. Certainly.

Mr. BACON. And not resent interference.

Mr. LODGE. I do not resent it in the least. I merely desire to learn what the Senator wants to know.

Mr. BACON. What I wish to know of the Senator is this: The Senator is chairman of the Committee on the Philippines, selected as such with a view to his presenting to this body matters relating to that subject. What I desire to know of the Senator in order that the Senate may determine whether or not an army of a hundred thousand men is needed, not only for a temporary time, but for an indefinite time, is whether, from the knowledge of the conditions which the Senator has stated he has with reference to affairs in the Philippine Islands, the prospect, in the opinion of the Senator, is such that the Army, now consisting of 76,000 men over there, as we are told by the Senator from New Jersey, will be needed there for a short time, or whether, in the opinion of the Senator, it is to be needed there for an indefinite time? Now, that is a very plain question, it seems to me.

Mr. SPOONER (to Mr. LODGE). What does he mean by a short time?

Mr. LODGE. What does the Senator call a short time?

Mr. BACON. Well, two years.

Mr. LODGE. Mr. President, I am now giving only my own opinion. Of course the Senator understands that I am not on the Committee on Military Affairs, and so far as the military side of the problem goes I have no special means of knowledge. My own opinion, from all the knowledge I have of the existing conditions there is, that in two years we shall be able to reduce the Army very largely. That is my belief. How many thousand men we can cut off I can not say. I believe we shall be able to reduce the Army. I believe at the end of a period twice as long we shall probably get the Army down to only that which is necessary to

be kept there, whatever that may be, which I assume will not be a large force.

Mr. BACON. That is exactly what I want to know from the Senator.

Mr. LODGE. Does the Senator want to know my judgment on that point?

Mr. BACON. Indeed I do.

Mr. LODGE. Spain had 15,000 men in the archipelago and kept order very badly indeed.

Mr. BACON. Yes; and occupied comparatively small territory.

Mr. LODGE. And occupied comparatively little territory. I believe that in ordinary and normal times with 25,000 men—very possibly with 15,000—the number of the Spanish force, we could keep everything in a great deal better order and have the islands properly policed and have law and order and prosperity there as they never have been before.

Mr. BACON. Therefore, as I understand the Senator, the only increase of a permanent character necessary for this Army on account of the Philippine Islands will be from fifteen to twenty-five thousand men, and the other increase must be charged up to other needs than those of the Philippine Islands.

Mr. LODGE. I did not say that we now needed only fifteen to twenty-five thousand men.

Mr. BACON. No; I did not say that, either. I do not mean to be understood as representing the Senator as saying that; but within two years.

Mr. LODGE. Assuming that in normal times we need 20,000 men in the Philippines, that would leave, as I understand, 34,000 regulars, which I consider totally inadequate to take care of the fortifications of the United States, which I consider utterly inadequate to guard the canal that everybody wants to build. You have taken on yourselves the policing of the canal. You will begin, I hope, pretty soon to build it.

Mr. BACON. We will begin whenever your side of the Chamber says so.

Mr. LODGE. Very well.

Mr. BACON. Pass the bill to-day.

Mr. LODGE. We will begin to build the canal very soon. You have to pour in there a great mass of labor gathered from every part of that tropical region.

There will be thirty or forty, perhaps fifty thousand laborers at work on that canal. You have to police it. When it is done, you have to guard it. You must have men for that. I merely mention that as one of the demands which will soon be made. I am not a military expert, but it seems to me that 34,000 men to take care of all that and of the fortifications and of Alaska and of posts all over this great country is a very small force.

Mr. BACON. If the Senator will pardon me, I will not interrupt him further. The object of my inquiry was to ascertain from him, as chairman of the Philippine Committee, what, in his opinion, after, say, the space of two years from now, would be a requisite increase of the Army which would be required on account of the conditions in the Philippines; and I understand from the Senator—if I misrepresent him I do not wish to do so—that in his opinion after the space of two or three years 15,000 to 20,000 men will be sufficient for that purpose.

Mr. LODGE. I do not think I quite said that. What I intended to say was this: Two years was named by the Senator, and I believe that within a short time, at the end of two years, we shall be able to reduce the present force very much. In four or five years I believe we shall be able to bring it down to fifteen or twenty thousand men.

Mr. FORAKER. Will the Senator from Massachusetts allow me to ask him a question?

Mr. LODGE. Certainly.

Mr. FORAKER. The Senator has expressed the opinion that we may in a short time be able to reduce the army in the Philippines to fifteen or twenty thousand men. Is it not the Senator's opinion that we should be able to reduce the army to the minimum number he has named at a much earlier date if we could have the unanimous support for the Army bill and the other measures looking to the suppression of the insurrection in the Philippines?

Mr. LODGE. I entirely agree with that opinion. Every debate of this sort simply makes the time of the strife longer in the Philippines.

Mr. BACON. Will the Senator pardon me one more question? If it be true that the necessity for this large Army is to be lessened in so short a time, would it not be more in accordance with the proper procedure that the Army should be increased for the temporary time during which, in the opinion of the Senator, this large force is going to be needed there, rather than to fasten upon the country for all time an army the necessity for which, according to his own statement, will not continue to exist in the same degree that it does now?

Mr. LODGE. That is the whole theory of the bill, as I understand it. It certainly is my theory. And if we need a hundred

thousand men to do the work imposed on the United States at any given moment, we will have them. If, in the judgment of the President and Congress and the War Department, we do not need more than 25,000, we will have but 25,000.

Mr. President, what I wanted especially to speak about, and the point upon which I started, is the importance of having the Army rightly organized, to have it organized in such a way that it can expand easily if danger comes to the country, to make it, as I have already said, the best possible instrument, a framework which we can fill in rapidly with volunteers when the time comes.

Mr. President, anyone who has studied carefully the history of the Spanish war and events connected therewith knows perfectly well that all the troubles which befell us at that time in the way of transports, in the way of organization, all the things that led to the outcry here, were owing to defective organization. I never shared, I never had any sympathy with, the wolfish cry which went up to punish individuals for faults which were due to a system.

The system was bad. It was owing to us—to Congress—to the lack of interest in the newspapers, to the lack of interest among the people, that we had a bad system. It was not fair to pick out a man here and a man there and hold him up and crucify him before the American people and before the world because he could not suddenly transform a bad system into a good one. I do not mean to say that there were not plenty of men who fell short just as there were plenty of men who went beyond what we had a right to expect, but the trouble was in the system; and if we fail to remedy this system and war comes again and brings the same evils we shall have no one but ourselves to blame, and this time we shall do it with our eyes open. What before was a blunder, if it happens again will be little short of a crime.

We know where the troubles were. We know that we suddenly called on the departments here, filled with men who in many cases had been so far away from military life that they had become practically civilians again, to transport and to feed and to clothe and to set forth a great army of 225,000 men; and they broke down under it in a great many points. They broke down because the system was thoroughly bad, and if we continue that bad system it is our fault and not theirs, for it lies at our doors to remedy it.

Mr. President, there is a clause in this bill providing for the substitution of details instead of permanent bureaus, and it has been further amended by the Senator from Vermont, with the approval of the committee, so as to carry this reform up to the heads of the bureaus and to put the War Department organization of bureaus on the same footing as that of the Navy. It is one of the best things, in my judgment, that has been done for a long, long time. I had a great deal rather see Congress come together in extra session than to lose that provision in the bill.

My objection to the proposed veterinary corps is that it is in direct contradiction to this central principle, the whole object of which is to get rid of these permanent bureaus. You never can have a general staff, you never can get elasticity into your system, you never can have your officers in constant touch with the line—men who have gone back to it every three or four years and come in touch with the men they have to manage in time of war. You never can have these things, I say, unless you break down the system of permanent organization and put men in there as they are put in in the Navy—to serve their turn of duty and then go back to their men, returning again, if you like, to the particular work, but always in touch with the line of the Army.

Mr. President, I am no alarmist; I have no wars to predict; I do not believe we are in danger of war with anybody, and I do not believe there is a nation on the face of the earth which has any desire to attack us. But no man can tell what may happen at any time, and before I sit down I should like in a very few words to call the attention of the Senate, in connection with this matter, to the situation in which this country is to-day.

We have proceeded in the process of our development until we have expanded far beyond our own markets commercially, and we are breaking into every market in the world. It is a part of our economic development. We are marching fast toward the economic supremacy of the world. Mr. President, look at Europe and compare it with the United States—Europe, a small continent, thrust out like an outspread hand from the great Asian continent into the waters of the Atlantic and the Mediterranean, made up of peninsulas, broken up into small states.

It has been worked over for a thousand years at least by men in the endeavor to draw out all its resources. It was a poor continent at best, compared to the others, and it has been worked for centuries. Now, look at ours. Here we are, holding all the best part of the North American continent, all in the temperate zone. Look at your map, a great symmetrical country, all under one flag, all under one roof, no separate governments, your railroads running in steady connections and carrying freight from the Atlantic to the Pacific, and from the Lakes to the Gulf. That means the greatest saving of cost in transportation imaginable. Europe can not meet it. It is impossible.

Every separate State system, every separate railroad that she has, enhances the cost of her articles. Her mines are old. Ours are but just opened. We are beating her in all the great products. We have beaten her already in iron and steel. We can turn them out at a price which Europe can not meet. We are going to surpass her in other articles. She will have to take her coal from us. It is a mere question of time when her last stronghold, the carrying trade, will be invaded. Already we can make steamship plates cheaper than she can make them. Only the other day I read in the newspapers that we had taken a contract in Glasgow for steel plates for commercial steamships against all competitors, and we underbid them £50,000 on that one contract. We have taken it, and there are to-day in Glasgow 14 furnaces, they say, damped down. What happens there will happen in the carrying trade. We shall build ships cheaper than they do. We shall in some way or another offset their subsidies to their steamships by our subsidies and put our ships on an even plane of competition. Thus we shall invade their last great stronghold.

Mr. President, before our eyes is a splendid picture of the industrial future of this country. I believe it is inevitable—that the great economic forces are all working that way. But does anyone suppose that the other people like it? They are gasping for breath in parts of Europe. They are struggling everywhere to get an opening for an overcrowded population, for an overproduction. That is why they have seized Africa. That is why they have seized the islands of the Pacific. China got into trouble, and in a moment the European nations thought that there would come a new division and that they could all get in there and find economic relief. It has been stopped. The Chinese Empire is going to be held together and its markets opened, I believe, to all the nations of the world; and I do not think I say anything improper or that I boast unduly when I say that it was owing to the United States that that policy was adopted instead of the other one. It is a great policy. We believe in it; we are all in sympathy with it; but do you suppose the other countries like it? I doubt it very much.

Anyone who has read the newspapers lately will have noticed that in the Vienna papers and elsewhere there has been continual talk about an economic federation to shut out the United States from Europe; and only the other day M. Leroy Beaulieu, who is one of the greatest, perhaps the greatest, of French economists, had a long article in one of the Vienna papers, urging a combination of Europe against us. In other words, they feel the economic pressure which we are putting upon them. They are feeling it more and more every day. They will try to meet us undoubtedly in the great field of economic rivalry. I believe that with our resources, with the character of our people, with our new country, with our great continent, the victory can only be with us, and that there can be but one end to that conflict of economic forces.

Mr. President, if anyone will take the trouble to look back into the history of modern times, since the great economic movements began, he will see how many of the wars came originally, never ostensibly but actually from economic causes. The league of Cambray was nothing in the world but the attempt of banded Europe to break down Venice, the center of exchanges and the greatest economic force of Europe at that time. There is no doubt in the world that Colbert, whose whole principle for the administration of Louis XIV was to keep the country at peace and build it up finally, found himself forced to make war on the Dutch because he felt that if they did not France would be economically ruined by the commercial supremacy of Holland and England; and those wars, which ostensibly were dynastic, followed one after the other. France failed, the economic pressure intensified, and the French Revolution arrived in due time.

Now, Mr. President, we occupy a great position economically. We are marching on to a still greater one. You may impede it, perhaps, by legislation; you may check it; but you can not stop the work of the economic forces. You can not stop the advance of the United States. We may blunder here in the legislation which we may pass for this thing or that thing, but the American people and the economic forces which underlie all are carrying us forward to the economic supremacy of the world. It is a great position, but, dazzled by its splendor, do not forget its perils. We look on at this great development, and we all take deep pride and pleasure in it, but it carries its dangers with it, and I want to see the United States always prepared to meet those dangers. We have no quarrel with any nation, and I hope we shall have none. I have said already that I see none who would wish to attack us; but I wish to see the United States so prepared that under these new conditions she will always be safe by sea and by land.

The control of the ocean is vital to us. That is why I have always advocated a Navy, and a powerful Navy we must have. I wish to see our Army, whether it is ten thousand or twenty thousand or a hundred thousand strong, organized with the utmost skill and the utmost science, so that if the hour of peril ever does come we shall have a system which we can expand on the instant, one which will not immediately produce disaster and trouble,

stumbling and hesitation, as it did at the beginning of the Spanish war. Make your Army large or small, as circumstances demand, but make your organization of that Army the best, the most flexible, the most elastic in the world.

Mr. GALLINGER. Mr. President, if the discussion of the chief features of the bill under consideration and the wars of past ages by the junior Senator from Massachusetts have not entirely resulted in losing sight of the amendment that is really before the Senate, I should like to speak a few minutes touching that amendment.

It is a matter of regret to me that I was unavoidably kept from the Senate Chamber during the first two hours of the session to-day, and that I was from that circumstance denied the privilege of hearing the Senator from Delaware [Mr. KENNEY], who is thoroughly acquainted with this subject, and also the first part of the speech of the Senator from New Jersey [Mr. SEWELL].

When this bill came before the Senate I called attention to the fact that in my opinion it presented an anomalous parliamentary situation, and I want to emphasize that matter in connection with this proposed amendment.

On the 4th day of May last, if I have the date correct, we passed a bill and sent it to the House of Representatives which contained a provision in reference to the establishment of a veterinary corps precisely as it stands in the bill to-day, without the amendment proposed by the Committee on Military Affairs. That bill went to the House of Representatives. The Military Committee of the other House, as the Military Committee of the Senate had done, advised against that amendment, but the House overruled the committee, precisely as the Senate had overruled its committee.

Now, Mr. President, both Houses of Congress have acted affirmatively on this proposition; both Houses of Congress have given their sanction to it, and yet by some legislative fiction the proposition is again before the Senate for discussion and for vote.

Mr. President, we have in our rules a provision that when a matter has once passed this body a motion to reconsider within two days shall be in order. There is a reason for that. The reason is that those who have taken part in that discussion and in that vote are supposed to be present, and they will have an opportunity again to record their votes on the question of reconsideration.

But in this case this body is asked to vote again upon a proposition that was affirmatively passed upon some eight months ago. I am not at all sure that a point of order would lie against the amendment. Indeed, I am pretty well persuaded that if a point of order should be made it would be overruled; but nevertheless I am firmly convinced that this is a vicious way of bringing a proposition before this body a second time, and that it may in the future come back to trouble us in the consideration of other important measures.

I say, then, Mr. President, that both Houses of Congress have acted affirmatively upon this proposition, and the provision that is in this bill as it came from the House of Representatives is word for word the provision that was put in it by the Senate on the 4th day of May last.

Now, Mr. President, I do not know how many Senators have changed their minds on this question. It is barely possible that the vote that resulted in incorporating that provision in the Army bill some eight months ago may be reversed by vote to-day, but, for one, I have not changed my mind in the least, and I am here to give my voice and vote in opposition to the amendment proposed by the Committee on Military Affairs.

The Senator from New Jersey laid great stress upon a letter from the Secretary of War, a letter that was laid upon my desk as I entered the Chamber, a letter that seems to have been ordered printed this very day, and undoubtedly it was marked "Rush," and it is back here to influence our votes on this bill.

Now, Mr. President, the opinion of the Secretary of War is well known and it is barely possible that in the debate last May the opinions of some of the high Army officers may have been misstated. I do not know how that may be. I do know that Army officers change their minds. I do know that the Adjutant-General of the Army not long ago wrote a letter in opposition to the Army canteen, and that he has now given testimony in favor of it; and it is just possible that some of these other Army officers have changed their minds in reference to this veterinary provision.

But what the Senator from New Jersey seemed to lay great stress upon was a letter from Dr. Claude D. Morris, a veterinarian living in Binghamton, N. Y., who seems to be the secretary of the New York State Veterinary Medical Society.

Now, Mr. President, if I am correctly informed, this secretary might be called an "accidental" secretary, and the representations he makes here are not the views of the society of which he is secretary. As I understand the matter, the New York Veterinary Medical Society has given its sanction to this bill by vote, and it was not necessary for that society to pass another series of resolutions indorsing it, as Dr. Morris seems to think ought to have been

done. I say, Mr. President, that Claude D. Morris does not represent the New York State Veterinary Medical Society on this subject. As I entered the Senate Chamber, I was handed some telegrams. I do not know why they were sent to me, but they were sent to me, and I want to read two telegrams bearing on this very point. The first is dated Brooklyn, N. Y., January 7, 1901.

BROOKLYN, N. Y., January 7, 1901.

Senator GALLINGER,
United States Senate, Washington, D. C.:

Letter of C. D. Morris, secretary New York State Veterinary Medical Society, to Secretary Root, published in morning papers, stating society not in accord with amendment to Army bill creating veterinary corps, is without authority and absolutely false. Profession of State almost to a man has worked night and day for it and will be struck staggering blow if does not pass.

ROSCOE R. BELL,
President New York State Veterinary Medical Society,
Editor American Veterinary Review.

The next telegram reads as follows:

ALBANY, N. Y., January 7, 1901.

Senator GALLINGER,
United States Senate, Washington, D. C.:

The New York State Veterinary Medical Society is in favor of a veterinary corps in the Army reorganization bill. Secretary C. D. Morris individually is against it, but not the society.

WM. H. KELLY,
Chairman Legislative Committee New York State Veterinary Medical Society and State Secretary American Veterinary Medical Association.

Now, Mr. President, if I had been here and these telegrams had been on my desk when this document was ordered printed I would have asked that those telegrams might have been printed in conjunction with it, because it shows that while this one man has made haste to write a letter to the Secretary of War, which the Senate has made haste to print, to show that the New York State Veterinary Medical Society is opposed to this bill, the president of that society and the chairman of the legislative committee of that society, speaking for the society with more authority than a secretary could possibly speak, say that his statements are false and that the society is in favor of this measure.

I have three other telegrams which I desire to place in the RECORD. They are as follows:

WEST PHILADELPHIA, PA., January 7, 1901.

Hon. JACOB H. GALLINGER,
Washington, D. C.:

All veterinarians in Pennsylvania and good veterinarians everywhere are in favor of the Army veterinary bill.

S. J. J. HARGER,
President State Veterinary Society, University of Pennsylvania.

WEST PHILADELPHIA, PA., January 7, 1901.

Hon. JACOB H. GALLINGER,
Washington, D. C.:

The veterinary organizations and schools of the country all desire Army veterinary bill to become law.

W. HORACE HOSKINS,
Ex-President American Veterinary Association.

WEST PHILADELPHIA, PA., January 7, 1901.

Hon. JACOB H. GALLINGER,
Washington, D. C.:

The veterinary profession, with 8,000 members, is solidly for the Army veterinary bill. Sincerely hope, for good of Army, it will pass to-day.

LEONARD PEAKSON,
Pennsylvania State Veterinarian.

Now, Mr. President, I read these telegrams to show that this document that has been placed upon our desks and upon which so much stress has been laid is of no earthly consequence whatever. Claude D. Morris, secretary of the New York State Veterinary Medical Society, seems to speak for himself and for nobody else.

The Senator from Massachusetts [Mr. LODGE], when discussing this amendment, said that everybody is in favor of giving the veterinarians suitable rank and suitable pay. The Senator ought to have made an exception, and that exception ought to have been the Committee on Military Affairs of the Senate of the United States, which has reported an amendment which does not give them any rank whatever.

It is true that during this debate since I entered the Senate Chamber some members of that committee have said that they are willing to yield this question of rank and give veterinarians rank of some kind. That reminds me of what a distinguished judge in my State once said. He was chief justice of the supreme court, and alluding to a certain matter, he said it was "late, reluctant, and unimportant." That is precisely the situation that the Committee on Military Affairs finds itself in to-day in reference to this matter. They have taken the ground that these men should not have rank. They have insisted upon that in season and out of season, and now they say that they are willing to give them rank, doubtless provided the rank suits the committee. We fought that battle here last May, and we succeeded in putting a provision in the bill which gave these men rank. Now they say to-day, Why, we are in favor of giving them rank of some kind; but notwithstanding that fact—

Mr. PROCTOR. I beg pardon; the committee did not say that.

Mr. GALLINGER. Some members of the committee. The Senator from Vermont says that the committee does not say that.

I stand corrected to that extent. Some members of that committee have said that during the discussion this afternoon.

Great stress is laid upon the fact that we have too many bureaus in the War Department already, and that this is adding another bureau to make further complication and further trouble in the administration of that great Department of the Government.

Well, Mr. President, I do not know much about this question in a technical sense; I am not a military man; but it does seem to me that the addition, not of a bureau, but of a corps, will not create very much trouble and will not be very apt to disrupt military matters or to make any very serious trouble in the administration of the War Department.

The Senator from Massachusetts [Mr. LODGE] says that the Senator from Vermont [Mr. PROCTOR] has offered an amendment that is going to remedy the troubles that already exist because of this multiplicity of bureaus. If that is so, why can not they remedy the difficulty that they claim will arise from this so-called bureau, which is not a bureau at all, in connection with the other bureaus of the War Department?

It seems to me, Mr. President, that there is no real substantial argument in the contention that giving these men some additional rank, giving them some additional pay, recognizing them as educated medical men, which they are at the present time, some of them, Mr. President, standing as high in the medical profession as any in this country, will result in any harm or will do more than justice to a deserving class of men who have given years and years of valuable time in preparing themselves for the discharge of their duty.

It will not do, Mr. President, to talk about these men as they have been talked about in the discussion of this question, perhaps not to-day but formerly, as horse doctors; it will not do to say that we are proposing to give rank and increased pay to a class of men who are mere horse doctors. It will not do in the year 1901 to talk that way about these men. The men who would receive these commissions are just as highly educated men as the men who are at the head of the Medical Department of our Army at the present time, and they are just as deserving, in my judgment, of recognition as are those men.

Now, Mr. President, the Senate, of course, will have another opportunity to pass upon this question, and it is possible that the Senate may reverse the action it took a few months ago, but for my part I esteem it a privilege to stand here and say a good word for these men and to cast my vote against the amendment proposed by the Committee on Military Affairs.

I believe they are entirely deserving of the recognition they ask. I believe it will do no harm whatever to the Army, but, on the other hand, that it will result in much good to a very important branch of the Army, which needs as careful supervision as any other branch of the service.

The Senator from New Jersey talked about the destruction of the horses in South Africa, the fact that thousands, tens of thousands, and hundreds of thousands of them died shortly after they reached the African shores. But, Mr. President, the Senator from New Jersey of course did not mean to say that the death of those animals resulted from the fact that England has an educated veterinary corps; that England does give these men rank and recognition and proper pay. He surely did not mean to say that. Because we put the horses in our Army under a more competent corps of veterinarians, giving them proper rank, it can not be possible that disasters will come to the cavalry arm of our service in consequence of our doing that sensible thing.

Mr. President, I do not want to delay the consideration of this bill. I am very anxious that a vote should be taken upon it. For that reason I shall content myself with saying the few words I have said and of casting my vote against the proposed amendment of the Committee on Military Affairs.

Mr. PROCTOR. Mr. President, I wish Senators would consider the question, What is the need of this addition? Has there been any complaint that the animals in the Army are not properly cared for now under the present system?

The measure proposed by the committee extends that. It increases the pay. The system now pursued brings into the service scientific, educated men, all that are required, and at the present pay, and this measure gives them an increased pay. When veterinarians are needed notice is given that an examination will be held. One was held not very long ago. A skilled veterinarian from the Agricultural Department was a member of the examining board. Veterinarians—educated ones—from all parts of the country were examined and appointments were made. The Quartermaster-General testified that there was no difficulty in getting for every transport which went to the Philippines that carried animals skilled, educated veterinarians, and their pay was considerably less than that authorized by this measure.

Now, on the question of rank, one point against it is that there is no occasion for it. Another one is that there is endless confusion and trouble when rank is given to officers in the Army without command. I ask Senators to consider what might be the

effect of the measure proposed by the Senator from Delaware [Mr. KENNEY]. The highest cavalry officer, the highest artillery officer, is a colonel. It is proposed to give the veterinarian the rank of colonel. Suppose he is located at our great cavalry post, Fort Riley. The highest officer in command there of the cavalry is a colonel. The cavalry officer is the commander of the post. There is a set of quarters, especially built for the commander, assigned to him. But if his commission is dated a little later than that of the veterinarian, if the veterinarian ranks him, he can say to him, "Colonel, I want your quarters," and there is no way under the sun but that the commander of the post must move out. So I say the matter of rank is not only not needed, but it would lead to great embarrassment. It is wrong in theory and wrong in practice to give rank without command.

Mr. KENNEY. Mr. President—

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Vermont yield to the Senator from Delaware?

Mr. PROCTOR. Certainly.

Mr. KENNEY. The distinguished Senator from Vermont has stated that the chief of this bureau would be a colonel, and it might be that he should be stationed at Fort Riley, and on that occasion, if his commission was dated a little prior to that of the cavalry officer commanding, he would take possession of the quarters assigned to the commander of that post. Why, Mr. President, there is no such proposition. All the rules and regulations that govern this corps are to be made by the Secretary of War, and if it is to be a corps of course the head of that corps would not be at Fort Riley, but he would be in the city of Washington, in the War Department. That is the only officer with the rank of colonel named in this entire provision. The next rank is that of major.

Mr. PROCTOR. Mr. President, I am very glad that the Senator has stated that it is the purpose of the provision to put the head of this proposed corps in Washington in the War Department. He has admitted the very greatest objection to the bill. The Department is now overloaded with bureaus. What we have been seeking to do was to reduce the influence of the staff corps somewhat. They are here and have the ear of Congress; and now it is proposed to create another which has shown in advance even of its creation that it has greater facility and power in the way of influencing legislation than any of the old ones which we have had to contend with for years. I think its very exhibition of power in that direction is reason enough for not having this legislation.

Mr. KENNEY. May I ask the Senator two questions? First, I will ask him whether there is a corps in the present Army that has not its headquarters in Washington? Second, I will ask him whether the Committee on Military Affairs of the Senate has abolished any corps of the Army, and whether, in point of fact, it has not increased them by creating a nurse corps?

Mr. PROCTOR. The proposition of the Committee on Military Affairs is not to abolish any corps directly, but it is to commence gradually at the foot of several corps the system of detail which when carried out fully (it could not be done at once without injustice to the men holding permanent appointments) will make all the officers of these several staff corps what they ought to be, line officers, what every officer in the German army is, and what General Sherman recommended. That is the purpose of it, to prevent the increase of new corps and the permanency of the present ones.

I should think it very strange if the Senate would adopt a proposition that was against the action of the committees of both bodies of Congress, against the unanimous and very earnest judgment of every member of the Senate Committee on Military Affairs, against the judgment of the President, the Secretary of War, the Commanding General of the Army, and the Quartermaster-General.

Mr. DANIEL. Mr. President, I sympathize thoroughly with what has been so well said by the Senator from Vermont [Mr. PROCTOR], and I beg to assure the Senator from New Hampshire [Mr. GALLINGER] that he is very much mistaken if he thinks that opposition to the new military establishment proposed is confined to the Military Committee. It is a wholly unnecessary proposition to the health, safety, or efficiency of the Army. The veterinarians are a very proper adjunct to the Army, but they are essentially no part of the Army; and a bill which would provide that the privates, colonels, majors, and captains who have been in the service of the United States fighting its battles for two years should not be eligible to any office but that of second lieutenant, and then go out and scour the country for veterinarians to make colonels and majors, would bring our Army into ridicule amongst the people.

There is no propriety, Mr. President, in giving to these gentlemen, however learned they may be, however scientific they may be, military rank. To salute a colonel and to find out that your colonel was a person who had nothing to do with military affairs, and whose whole function and profession in life was to attend to

the health of a soldier's or an officer's horse, is to bring the whole military establishment of the United States into ridicule.

It is to be regretted, Mr. President, that any adjuncts to the Army except those who are fighting men should have military rank. Military rank should imply something. It should mean that the man who held it was a soldier and that he was expected to share not only the hardships of the Army, but the dangers of the Army.

Now, out of convenience and out of consideration for those who are the fighting men of an army, the laws do confer military rank upon the surgeons who attend them. If you will look at the function the surgeon is expected to perform, however, you will perceive that it is essentially different in its nature from that which the attendant of the horse is expected to perform. The surgeons go along immediately in the rear of the line of battle. They are often called upon to exercise more courage than the man who has got a gun or a sword in his hand, for, while he is occupied in his task as a soldier, the surgeon must be present and look on without doing anything. He has not the excitement or the duties and exercises of the field to divert his mind that the soldier has. If an exception should be made in any case, it ought to be made, in the interest of humanity, in behalf of those persons like the surgeons who do not go to fight, but who must be present close to the man who is wounded to relieve him if he is stricken.

Does anyone expect horse doctors to be marshaled upon the field with the general in chief to serve him as staff officers during a fight? Does anyone expect them to go along with the regiments and to expose human life right up in the mêlée of a battle in order to heal instantly the broken bone of a horse or to apply any kind of a bandage to his wounds? Certainly not.

These gentlemen are going entirely out of their element and out of their appropriate function, however wise, however learned, however scientific they may be, to come and ask the Government of the United States to install them in a bureau in Washington, to make them colonels and majors, to have them going around with all the glory of the armament of war, when their whole duty in life is to go back and look at the hoofs of the horses before they go upon a march, or to relieve a sick horse, if he is taken so from too much feed or the lack of it.

I regret that the Senate has ever passed such an amendment to a military bill. We are acting justly and generously by the veterinarians by giving them the rank and pay of second lieutenants. It is a place of becoming dignity and it is a place of sufficient pay, according to the judgment of those who preside over the Army and who are attentive to its concerns. The General Commanding the Army is against this proposition; the Secretary of War is against this proposition; the President of the United States is against this proposition, and there is no sound basis of military history or of common sense for it to stand upon.

Mr. SPOONER. Mr. President, only a word. I am quite prepared to believe what the Senator from New Hampshire [Mr. GALLINGER] is prepared to prove, that the Veterinarians' Association of the United States is unanimously in favor of this bill. I think not so much, perhaps, for the good of the Army, as to secure recognition of the association, or that specialty of the profession.

When this proposition was before the Senate last session I voted against it. Nothing in the debate has occurred to change my mind about it. I agree with the Senator from New Hampshire that in the progress of medical development the veterinarians have contributed their share; and, in favoring the amendment proposed by the committee, I would not be willing to be understood as underestimating their importance, their fitness in that specialty of the medical profession, or as being willing to cast any imputation whatever upon their dignity. But we are to reorganize the Army for the good of the Army, and not for the purpose of giving recognition to any class of people in the country, however deserving or however learned.

The Senator from Vermont [Mr. PROCTOR] said that it was an unfortunate thing to have officers with rank without commands. Of course the doctor—the surgeon—has rank, but he has no command; the chaplain has rank, but he has no command. But the Senator from Virginia [Mr. DANIEL], in what he has said, has very clearly expressed the distinction in function between the surgeon and the veterinarian. He might have gone a little further by way of illustration. When a man receives a wound in the leg which renders it impossible for him to recover without the amputation of the leg, the surgeon amputates it; but when a horse's leg is broken, they amputate the horse. [Laughter.] That is the difference.

I think it would be a very extraordinary thing for Congress, against the protest of the Secretary of War, against the protest of the General of the Army, to incorporate into this bill this proposed veterinary corps. There has been great pressure for it. One objection I have to it, and the principal objection I have to it, is that I am utterly opposed, unless the necessity for it is demonstrated, to establishing a new corps or bureau in the War

Department. We can engage ourselves in no better way than in affording flexibility and elasticity to the Army organization, and eliminating, as far as it can reasonably be done, fixed bureaus. To me the notion of appointing veterinarians, with a colonel at the head of them, a distinct corps, who is independent of the colonels of cavalry, independent entirely of the colonels of artillery, is intolerable. I can see no reason for it.

Another thing which has been disclosed here, Mr. President, by the Senator from Delaware [Mr. KENNEY]—and it could very easily have been foreseen without any inference being made from his observations—is that this is only a beginning in this development. They may have such a corps in foreign armies. It may be useful to them or it may not be useful. We are not called upon to pattern our organization upon foreign armies, unless, after consideration, we regard it as important to the organization of our Army. Once established, this bureau and its function will be to increase and enlarge itself. The same pressure which has been brought to bear upon both Houses of Congress to secure its establishment will be brought to bear upon every Congress to give it additional power and additional importance. If we establish it, with its head a colonel, in the next Congress our attention will be called to the fact that we have recognized this bureau as of importance; we have created it, and that it is the only staff of all the staffs at the head of which is only a colonel. "Why this discrimination?" we will be asked. The Quartermaster-General is a brigadier-general, the Adjutant-General is a brigadier-general—

Mr. KENNEY. No; he is a major-general.

Mr. SPOONER. The Adjutant-General is a brigadier-general, except temporarily—I had not finished the sentence—the Commissary-General is a brigadier-general, the Surgeon-General is a brigadier-general—

Mr. PLATT of Connecticut. And the Chief Signal Officer.

Mr. SPOONER. And the Chief Signal Officer is a brigadier-general. "Now, in the name of all that is decent," the veterinarian will say to you, "why discriminate against this corps of scientific gentlemen?"

The next step will be to make him a brigadier-general. Then from that promotion the four majors will become colonels and the four captains will become majors. That will not be the end of it by any means. The next proposition will be that the meat purchases for the Army shall be made by this corps, because of their peculiar qualifications to determine whether meat ought or ought not to be used in given cases.

Mr. GALLINGER. I think that will be sensible.

Mr. SPOONER. Of course it will be sensible. There will be a good many men who will insist that it will be sensible.

The next proposition will be that if this corps is organized for the purpose of looking after the horses of the Army, they should be charged with the function of buying horses for the Army. The next proposition will be that it is nonsense to have a scientific corps looking after the health of the horses of the Army and purchasing horses for the Army and have some other department purchasing the feed and prescribing the diet for the horses of the Army. So it will be claimed, and it will be asked with some show of reason, I admit, that this new department or new corps should be given the function of purchasing the forage for the Army.

So you go; and it will be a well-developed staff corps after the usual fashion in a short time. If that were proposed to-day, not five men, I think, in this Senate would vote for it; and yet there are not five men in this Senate who do not know that what I say is to follow in time if we reject the amendment proposed by the committee and create this new staff corps, and create it, Mr. President, against the protest of the Secretary of War—I will not say "protest," but the Secretary of War in his statement before the committee said the President was not in favor of it. He had a right to say that, because of the unique circumstance that had been stated in advocacy of this provision in another place that the President favored it. The Secretary of War is opposed to it; the General of the Army is opposed to it, and the whole theory, as has been repeatedly said here this afternoon, upon which we are proceeding in the reorganization of the Army is opposed to it.

For one, I would not seriously object, I think, although I am not certain it would be wise, to giving veterinarians some rank. To do that does not involve at all the creation of a staff corps of veterinarians. I am not certain that they ought to be given rank; but I am certain, Mr. President, so far as I have been able to consider this subject, that we ought not to establish a new staff corps in the Army, and that the amendment proposed by the committee striking this proposition out should be adopted by the Senate. That is all I have to say.

Mr. CARTER. Mr. President, I will offer but a word in contribution to this debate at this late hour.

I have favored fair recognition of the veterinarians in the Army. The constant increase of knowledge has reached the veterinary surgeons of the country, and great progress has undoubtedly been made in that line of investigation and scientific research; but I am unalterably opposed to the establishment of an additional corps

in the Army. First, it will result, as the Senator stated, in the establishment of an additional bureau here, which, with the customary grasping disposition of new bureaus, will begin to reach out, octopus like, to get additional authority over affairs pertinent or not pertinent to the particular office of the veterinary surgeon.

This proposed bill as it comes to us would pay a colonel \$3,500 per year, who would probably reside at Washington; a major, \$2,500 per year, who would probably reside at Washington as the assistant of the colonel; four captains, at \$2,000 each, or \$8,000; making a sum total of \$14,000 per year to be paid for the skeleton of this proposed corps establishment.

Mr. BUTLER. Where are the captains to be located?

Mr. CARTER. I have no doubt every one would get to Washington who could possibly get here by any hook or crook.

Mr. GALLINGER. In that respect they would not be different from the balance of the officers.

Mr. CARTER. They would not be different from the balance. They would fall right in line. There seems to be something in the air here that is very attractive, and I suppose the veterinary surgeon would take the disease about as quickly as anybody else.

This is but the entering wedge to a line of expense in connection with corps establishments. The expense should not be considered if it added to efficiency, though the expense should be somewhat commensurate with the amount of the outlay; but, according to my judgment, based upon what has been said by those well informed upon the subject, this new corps would be a disorganizing rather than a reorganizing force.

It will be remembered that when Cortez invaded Mexico his victories were for a time chiefly due to the belief among the natives there that the horse and the man were inseparably joined together and constituted some sort of a creature of which they had theretofore no knowledge. Fright seized them in consequence of the appearance of the horse with the rider upon him, and from that time to this the horse and the rider have been very potent factors in battle, but when commanded by the same person. Now, this veterinary corps would put one man in command of the horse, while the Army regulations would put another man in command of the rider. The rider would be useless as a cavalryman unless the horse could go forth; and yet the veterinary officer might say, "That horse shall not go into battle to-day. I think that he has the influenza or he is threatened with pneumonia, or his hoofs are not in proper order." A conflict of authority in the progress of military operations is simply intolerable; it leads to inefficiency and conflict where direction and the utmost efficiency is needed when action is called for at all.

It has been suggested by the Senator from New Hampshire [Mr. GALLINGER] that this body is estopped, practically speaking, from a reconsideration of the view expressed on the 4th day of last May. I have before me the report of the proceedings of this body upon that day, and I find, on page 5117 of the RECORD, a statement of the vote as cast. Twenty-five Senators voted in the affirmative and 23 Senators voted in the negative, making 48 votes cast. Out of the 48 votes cast the proposition was carried by a majority of only 2. Thirty-nine Senators are reported as not voting upon that occasion. Now, Mr. President, it is barely possible, I indeed think quite probable, that the 39 Senators who did not vote upon that occasion may have views upon this subject which, in a parliamentary sense, is before the Senate for consideration and disposition now. It was carried by a bare majority in a Senate where the attendance was light. I doubt not that a motion to reconsider upon the following day, with a very slight change of the Senators in attendance, might have reversed the verdict based upon that light majority.

Mr. President, reference has been made to the nurse corps established here. In that behalf I desire to call the attention of the Senator to the fact that the nurse corps may be terminated at discretion. The language is as follows:

That the nurse corps (female) shall consist of 1 superintendent—

Not a colonel; no person of rank—

1 superintendent, to be appointed by the Secretary of War, who shall be a graduate of a hospital training school having a course of instruction of not less than two years, whose term of office may be terminated at his discretion.

At the discretion of the Secretary of War. The Secretary of War may appoint a superintendent of nurses to-morrow and discontinue that office on the day after, or revoke the order within an hour. There can be no just analogy drawn between this temporary arrangement for the organization of the nurses of the Army without rank, without authority, without any menace of conflict in the organization and command of the Army, with the proposition here to start out a corps, with a colonel selected, perchance, as suggested by the Senator from Massachusetts [Mr. LODGE], from private life, placed in this high position in preference to officers who have served a lifetime to reach a lieutenant-colonelcy. There can be no just comparison. The fact that the nurse corps was provided for in this tentative and temporary

manner certainly ought not to constitute any basis of criticism upon the committee in view of its position here and now taken.

The nurse corps, I am advised by the Senator from New Jersey [Mr. SEWELL], is organized at present precisely as suggested in this bill, except that under it a superintendent of nurses may be provided by the Secretary of War to hold the position at the discretion of the Secretary of War and to be discontinued when he may think fit.

The PRESIDING OFFICER (Mr. ALDRICH in the chair). The question is on the amendment proposed by the Committee on Military Affairs.

Mr. KENNEY. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. McCUMBER. Mr. President, is this amendment subject to an amendment at this time?

The PRESIDING OFFICER. The Chair thinks not.

Mr. McCUMBER. Is there any rule that will prevent an amendment to the amendment at this time?

The PRESIDING OFFICER. The Chair is now informed that this has been held to be an amendment in the first degree. It will be in order, therefore, to offer an amendment in the second degree.

Mr. CARTER. I understood that, by unanimous consent, it was agreed that all the amendments of the committee were to be first disposed of, and that thereafter any Senator might offer an amendment to the bill or to any amendment adopted by the Senate.

The PRESIDING OFFICER. The Chair is informed that that was the understanding.

Mr. McCUMBER. I am satisfied if the amendment be subject to amendment after adoption.

The PRESIDING OFFICER. The yeas and nays have been ordered on the pending amendment of the Committee on Military Affairs.

Mr. COCKRELL. I simply want to say a word or two on behalf of the committee amendment.

I think it would be a great misfortune if the provision were left in the bill creating a new corps of the Army in the War Department of veterinarians, with a colonel at the head of it. It would introduce interminable confusion throughout the cavalry and the mounted artillery, where those officers would be assigned. The bill as it passed the other House provides for a colonel, a major, 4 captains, and a number of first and second lieutenants.

Mr. CARTER. Ten first lieutenants and 20 second lieutenants.

Mr. COCKRELL. It provides for 10 first and 20 second lieutenants. That is absolutely unnecessary from a military standpoint. The bill as reported to the Senate gives 2 veterinarians to each cavalry regiment and 1 to each mounted artillery regiment. That is ample. We give them the pay of second lieutenants, which I myself think is a mistake. I think we ought to give them a fixed salary. They ought not to be placed as officers. In my judgment they ought to be civilian employees, just as the dental surgeons are civilian employees. We do not give those men any rank.

Mr. DANIEL. They have no rank.

Mr. COCKRELL. I say they have no rank; and it would be a great mistake, in my judgment, if we adopt the provision in the House bill as it comes to us. I hope the Senate will agree to strike out the entire section in regard to veterinarians, and then we shall have provided in the bill 2 veterinarians for each cavalry regiment and 1 veterinarian for each artillery regiment. The amendment proposed by the Senator in regard to salaries can then be made.

Mr. BUTLER. Mr. President, I agree with the several statements that have been made about the undesirability of having a conflict between colonels for men and colonels for horses. As has been suggested, the colonels for men might one day want the men who are mounted on horses to move and move rapidly, and the colonels for horses might think it would be cruelty to animals to double-quick them on that day; and then the colonels for horses might report the matter to the Society for the Prevention of Cruelty to Animals, and they might take it up and deluge us with an unlimited quantity of humane and "benevolent assimilation" matter on the subject.

Mr. GALLINGER. Will the Senator from North Carolina permit me a word?

Mr. BUTLER. Certainly.

Mr. GALLINGER. How would that be different from the present situation as between the colonel in the Medical Department and the military officer? Might not the medical officer say that the Army was not in condition to move? But does he do so? Is not the Senator picturing a condition that is not going to happen? Is it not a mere visionary thought that is floating through the Senator's brain in reference to these colonels of horses?

Mr. BUTLER. We have had so many things that have been called visionary, and then they materialize into grim, ugly realities—many of which we have had cited in the discussion of this bill—that I think a man of really sound mind is justified in stopping to examine a thing that looks even visionary, provided it is

at the same time an ugly vision. I do not deny that this proposed amendment is inconsistent, in view of some of our past legislation. We have been very inconsistent. Now, shall we be consistent in our inconsistency? We are discriminating right now, if we vote down this amendment, against these men, if we are consistent in our inconsistencies.

I was very much interested in what was said by the Senator from Missouri [Mr. COCKRELL] who has just taken his seat—a venerable statesman, a wise man. What he says always has great weight with the Senate, and in this connection I am reminded that when the last Army bill was before us we put in it a provision making a general—a major or a brigadier—out of a clerk. On that occasion I asked why a man holding a clerical position was to be given the high rank and increased pay of a general, etc., and the only response I could get in the Senate from those favoring it was that he was probably the most efficient clerk in the War Department; that he handled the papers and kept them in their pigeon-holes and had them labeled so systematically that when a Senator wanted to see some musty paper he could produce it quicker than any other clerk they knew of. If I am not mistaken, the venerable Senator from Missouri favored that proposition at that time.

Mr. COCKRELL. I should like the Senator from North Carolina to produce the RECORD showing that I did.

Mr. BUTLER. I will ask the Senator, then, whether or not he favored that provision in the last Army bill?

Mr. COCKRELL. I do not know what provision the Senator is talking about.

Mr. BUTLER. It was understood that the Senator from Missouri was largely instrumental in having Mr. Ainsworth, who was the head clerk in the Record and Pension Office of the War Department, promoted to the position of brigadier-general, with the rank, pay, and perquisites of that high position for life.

Mr. COCKRELL. Oh, I can explain that, if you are talking about that matter. Ainsworth was a lieutenant-colonel, regularly in the Army and had been in the Army all his life, when the Record and Pension Office was established, and that gave him the rank of colonel. The present President of the United States and the former Secretary of War, in their official reports to Congress from 1897 to 1899, recommended that he should be promoted. That was one of the special recommendations.

In the Army bill that was passed he was given the rank as long as he held the present office. I followed the President's recommendation; I followed the recommendation of the Secretary of War; and I was heartily, ten thousand times heartily, in favor of the provision. I have no apologies on earth to make for it, for if there is any one man in the Government service who has paid a hundred times, over a hundred times, for every rank and provision he has got, it is that one man.

Mr. BUTLER. That does not explain at all. The President of the United States recommends the passage of the present Army bill, increasing the Army to 100,000 in times of peace; also the Secretary of War recommends its passage. If their recommendation was good as to making a brigadier-general out of an efficient clerk of the War Department, it might be equally as good as to why we should increase the Army to 100,000 men, increase the permanent debt of the country, to say nothing of the other objections to adopting this measure in the shape in which it is.

When that monstrous proposition was before us I opposed it. I asked for the reason for it. The only answer I could get was that Mr. Ainsworth was a good clerk, and that he was, by his systematic methods, a great help to Senators who wanted to get at some paper or record in his office in a short time. And for this reason, and for this reason only, he was to be made a brigadier-general. When I learned that this kind of proficiency in a high-up clerk was a sufficient cause to produce a brigadier-general, I proposed that we should not make any invidious distinctions, but should make also the man who had shown more proficiency in line than any other a brigadier-general—a man who, in fact, was the superior to all others in the Government service, and who is the greatest possible comfort to every Senator. I urged that he should be made a general, with all the pay, rank, and perquisites above all other men in the Government service for that kind of proficiency.

I refer to the venerable Gen. (?) Amzi Smith, who does much more for our comfort than all the other clerks in the Government service combined. The Senate deliberately and with the approval of the Senator from Missouri discriminated against him, and to-day he has not even the rank of captain.

Mr. President, the fact that we have been inconsistent will not make me vote to continue the inconsistency, but I thought probably it was not out of place simply to call attention again to this at this time, when it is proposed to have "horse colonels" and "men colonels," with conflicting authority, put into this bill. I shall vote against the "horse colonels" just as I voted against the "Clerk-General Ainsworth," and for the same reason. Two wrongs do not make a right.

Mr. KENNEY. I will detain the Senate but a moment.

Mr. FORAKER. I wish to make an inquiry. Will the Senator from Delaware yield to me for a moment?

Mr. KENNEY. Certainly.

Mr. FORAKER. I should like to inquire of the Chair what it is that the roll is to be called upon. As I understand, the roll is to be called upon the committee amendment.

The PRESIDENT pro tempore. The question is on agreeing to the entire committee amendment, the Chair is informed.

Mr. COCKRELL. Striking out section 20.

The PRESIDENT pro tempore. Striking out and inserting.

Mr. FORAKER. Striking out section 20 and inserting section 16?

The PRESIDENT pro tempore. Yes.

Mr. FORAKER. We understand that after it has been adopted, if it shall be adopted, we will have the right to move to amend it.

The PRESIDENT pro tempore. Yes.

Mr. KENNEY. Mr. President, only a word. I desire to submit a brief reply to the argument used by the distinguished Senators from Wisconsin and Montana. The burden of the argument of those distinguished Senators was that if this corps should be established there would be a conflict between the officers created by this provision and the officers of the line; and the distinguished Senator from Montana pictured to the Senate a most grave possibility when he called our attention to the fact that on some day, when the American Army was about to enter into battle against an enemy, the veterinary surgeon, one of these majors or captains or lieutenants, would go to the general commanding the Army and say, "We can not fight to-day, because there are so many hundreds or thousands of the horses that have the influenza, or, if you please, the glanders."

There is no man who in sober judgment will for one moment suppose that should this amendment carry there will ever be a conflict between those of the veterinary corps, if established, and the officers of the line who are in the command of troops. These people are not to be in command of troops. These officers, should this provision be adopted and the corps established, would be there looking after the health of the horses, and instead of being in the way of battle, they would have put in condition the cavalry and artillery horses of the American Army, so that it could fight battles and win victories. It is the most absurd proposition that I have heard advanced in this argument.

Then there is the question of having this corps established in the city of Washington. I appeal to the Senator from Montana as to where he would have the headquarters of the veterinarian corps, if such a corps should be established. Would he have it in the Philippines; would he have it in Hawaii or in Porto Rico? Where would he have it? Would it not be a proper place to have the headquarters of that corps established in the War Department in the city of Washington, where an officer, whomsoever he might be, could have direct control and direction as to the duties and responsibilities of the several officers under him? If the Senator will read the provision of this amendment, he will find that all the rules and regulations governing this corps are to be subject to the Secretary of War. Those rules and regulations could be so made and would be so made that there could be no question of conflict between the officers of this proposed corps and the officers in the line of the Regular Army.

The distinguished Senator calls to the attention of the Senate the fact that when this amendment was agreed to in the Senate on the 4th day of May, last year, there was a vote of 25 for the amendment and 23 against the amendment. I desire to call the attention of the Senate to the distinguished Senators who voted for that amendment. Starting off with the distinguished Senator from Iowa [Mr. ALLISON], you can read the list down from top to bottom. I desire that the list of the members of the Senate who voted for the amendment may be printed in the RECORD, and let us see who stood for the amendment then.

YEAS—25.

Allison,	Frye,	McCumber,	Taliaferro,
Bacon,	Gallinger,	McEnery,	Teller,
Baker,	Gear,	Morgan,	Turner,
Chandler,	Hale,	Nelson,	Wolcott.
Clay,	Hansbrough,	Perkins,	
Culberson,	Kenney,	Quarles,	
Foster,	McComas,	Stewart,	

NAYS—23.

Bard,	Foraker,	Pettus,	Shoup,
Bate,	Hawley,	Platt, Conn.	Spooner,
Cockrell,	Kean,	Proctor,	Sullivan,
Deboe,	Kyle,	Rawlins,	Vest,
Dewey,	Lodge,	Ross,	Warren.
Fairbanks,	Pettigrew,	Sewell,	

NOT VOTING—30.

Aldrich,	Clark, Wyo.	Jones, Nev.	Platt, N. Y.
Allen,	Cullom,	Lindsay,	Pritchard,
Berry,	Daniel,	McBride,	Scott,
Beveridge,	Davis,	McLaurin,	Simon,
Burrows,	Elkins,	McMillan,	Thurston,
Butler,	Hanna,	Mallory,	Tillman,
Caffery,	Harris,	Martin,	Turley,
Carter,	Heitfeld,	Mason,	Wellington,
Chilton,	Hoar,	Money,	Wetmore.
Clark, Mont.	Jones, Ark.	Penrose,	

Mr. PROCTOR. I think nobody questions that if the bureau is established, the purpose is to establish it in the War Department—

Mr. KENNEY. Certainly.

Mr. PROCTOR. To keep it growing. That is what is the matter.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee, on which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. BACON (when his name was called). I have a general pair with the junior Senator from Rhode Island [Mr. WETMORE]. In his absence I withhold my vote.

Mr. BUTLER (when his name was called). I have a standing pair with the Senator from Maryland [Mr. WELLINGTON]. In order that there may be no further misunderstanding about it, I will announce publicly that the conditions of the pair have been changed so that we protect each other only when requested to do so. He has not requested me to protect him on this vote. Therefore I am at liberty to vote. I vote "yea."

Mr. CHILTON (when his name was called). I am paired with the Senator from West Virginia [Mr. ELKINS]. He is not present, and I withhold my vote.

Mr. PROCTOR (when Mr. DILLINGHAM's name was called). My colleague on this vote is paired with the Senator from Pennsylvania. If he were present he would vote "yea," and the Senator from Pennsylvania would vote "nay," as I understand it.

Mr. HANNA (when his name was called). I have a general pair with the Senator from Utah who is absent. Not knowing how he would vote, I transfer my pair to the Senator from New York [Mr. DEPEW], and will vote. I vote "yea."

Mr. HARRIS (when his name was called). I have a general pair with the junior Senator from Wyoming [Mr. CLARK]. It has been arranged to transfer the pair to the Senator from South Carolina [Mr. TILLMAN], who has a general pair with the Senator from Nebraska [Mr. THURSTON]. Under that arrangement I will vote. I vote "yea."

Mr. SEWELL (when Mr. KEAN's name was called). My colleague will return in a very few moments. He is paired with the Senator from Washington [Mr. TURNER].

Mr. MONEY (when his name was called). I am paired with the Senator from Oregon [Mr. MCBRIDE].

Mr. PENROSE (when his name was called). As the senior Senator from Vermont has explained, I am paired with the junior Senator from Vermont [Mr. DILLINGHAM]. If I voted, I should vote "nay."

Mr. PRITCHARD (when his name was called). I have a general pair with the junior Senator from South Carolina [Mr. MC LAURIN]. If he were present, I should vote "yea."

Mr. QUARLES (when his name was called). I have a general pair with the junior Senator from Texas [Mr. CULBERSON].

Mr. MONEY (when Mr. SULLIVAN's name was called). My colleague has a general pair with the Senator from Illinois [Mr. MASON]. I do not know how he would vote on this matter.

Mr. TALIAFERRO (when his name was called). I have a general pair with the junior Senator from West Virginia [Mr. SCOTT].

Mr. THURSTON (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. TILLMAN], but in accordance with the transfer announced by the Senator from Kansas, I am at liberty to vote. I vote "yea."

Mr. KENNEY (when Mr. TURNER's name was called). The Senator from Washington is detained from the Senate on important business. He has a pair upon this question with the Senator from New Jersey [Mr. KEAN]. If the Senator from Washington were present, he would vote "nay."

Mr. WARREN (when his name was called). I have a general pair with the Senator from Washington [Mr. TURNER], but by reason of its transfer, whereby that Senator stands paired with the Senator from New Jersey [Mr. KEAN], I am at liberty to vote. I vote "yea."

The roll call having been concluded, the result was announced—yeas 43, nays 5; as follows:

YEAS—43.

Aldrich,	Deboe,	Lodge,	Platt, N. Y.
Allison,	Dolliver,	McComas,	Proctor,
Bard,	Fairbanks,	McCumber,	Sewell,
Bate,	Foraker,	McMillan,	Spooner,
Berry,	Frye,	Mallory,	Stewart,
Burrows,	Hanna,	Morgan,	Teller,
Butler,	Hansbrough,	Nelson,	Thurston,
Caffery,	Harris,	Perkins,	Turley,
Carter,	Hawley,	Pettigrew,	Vest,
Cockrell,	Hoar,	Pettus,	Warren.
Daniel,	Lindsay,	Platt, Conn.	

NAYS—5.

Clay,	Hale,	Heitfeld,	Kenney.
Gallinger,			

NOT VOTING—38.

Allen,	Dillingham,	Martin,	Sullivan,
Bacon,	Elkins,	Mason,	Taliaferro,
Baker,	Foster,	Money,	Tillman,
Beveridge,	Jones, Ark.	Penrose,	Towne,
Chandler,	Jones, Nev.	Pritchard,	Turner,
Chilton,	Kean,	Quarles,	Wellington,
Clark,	Kyle,	Rawlins,	Wetmore,
Culbertson,	McBride,	Scott,	Wolcott.
Cullom,	McEnery,	Shoup,	
Depew,	McLaurin,	Simon,	

So the committee amendment was agreed to.

Mr. SPOONER. I desire to inquire whether section 32 of the bill has been acted upon?

The PRESIDENT pro tempore. Section 32 in the revised number of sections?

Mr. SPOONER. Yes, sir.

The PRESIDENT pro tempore. It has been acted upon, the Chair is informed, and agreed to.

Mr. SPOONER. Is it not open to amendment?

Mr. ALDRICH. Not yet.

The PRESIDENT pro tempore. Yes; under the unanimous consent given, that after the committee amendments were acted upon all amendments could be offered.

Mr. ALDRICH. All the committee amendments have not yet been acted upon. There are several reserved committee amendments.

The PRESIDENT pro tempore. The Chair calls the attention of the Senator from New Jersey [Mr. SEWELL] to page 36 of the bill, line 24. The Senator offered an amendment, and it was not completed.

Mr. SEWELL. That whole section has been revised by the committee. The chairman of the committee ought to have the amendment to offer.

Mr. HOAR. Will the Senator allow me to make an inquiry of the Senator from Vermont in regard to this matter?

Mr. SEWELL. Certainly.

Mr. HOAR. I desire to say that I expected, indeed I am rather bound, unless there is some very strong reason to the contrary, to vote for a proposition to give the veterinary surgeons some increased Army rank, and perhaps some reasonable increase of pay. I had also hoped to have an opportunity to vote at some time for an institution which would educate this class of practitioners, to be under the charge and direction of the Government, here or somewhere else in the country, instead of the private institutions which now exist.

I desire to ask the Senator from Vermont if I understand him correctly, that the committee do not mean to be understood as committing themselves against either of those propositions when they come up by rejecting this amendment, which is objectionable only for some other reason. I should like to have an assurance from the committee, or the Senator from Vermont, if he is ready to give it, that that part of the desire of the veterinary surgeons is not understood as condemned by this action.

Mr. PROCTOR. The committee were opposed to granting rank to these people because they considered that there was no occasion for it. As I stated, they believed the principle was wrong to grant rank where there could be no command. Their sentiment, I am sure, without any special action, was to give all the pay that was necessary to command the best equipped and most experienced officers, and the evidence before us was that even with the former pay there was no trouble in that respect. We have increased it, and I do not believe we should object to any increase that was reasonable.

As to the educational institution, that is a matter which was not considered. The present appointments are made from graduates, on a very careful competitive examination, with an expert from the Agricultural Department as a member of the committee.

Mr. HOAR. I desire to be allowed to say for one that the best veterinary surgeon of modern times is a man of very high scientific attainments, or he should be, and there is no doubt, I suppose, that it has ceased to be a calling wherein an illiterate and ignorant man can do as well as anybody else.

We ought to have in the Army a rank for them. I do not speak now of the power of command. I speak of the title. It seems to me that the veterinary surgeon ought to have a title which would imply a higher rank than that of second lieutenant. A second lieutenant is the lowest commissioned officer in most military arrangements. Sometimes there is a lower grade. In some armies in Europe they have a lower grade than that. A man who ought to be equal in attainments to the foremost scientific man, if he has any title at all which designates rank, should have, it seems to me, rank above that of second lieutenant. What is now the equivalent of a ship's surgeon in the Navy? It is higher than that of second lieutenant.

Mr. ALLISON. I understood that the Senator from Vermont or some other member of the committee would propose amendments to this substitute when it was agreed to. I think whatever the pay is, it ought to be fixed in this bill. It is left indefinite as

now provided in the amendment which has been agreed to, not exceeding a hundred dollars a month. It ought to be a fixed sum.

Mr. PROCTOR. If the Senator will allow me, the pay of the regular veterinarians is that of a second lieutenant mounted. That is fixed. There is authority given to employ others.

Mr. COCKRELL. I hope the Senator from Vermont will accept the suggestion of the Senator from Iowa, which is eminently proper. Let the salary be a fixed sum. We are to have two for each cavalry and one for each artillery regiment, I believe.

Mr. CARTER. That is correct.

Mr. COCKRELL. Now, let the two for the cavalry have, say, one \$1,800 and the other \$1,600, and let the one for the artillery have \$1,800. Let it be a fixed sum.

Mr. ALLISON. What is the pay of a second lieutenant mounted?

Mr. COCKRELL. Fifteen hundred dollars.

Mr. PROCTOR. Fifteen hundred dollars—\$125 a month.

Mr. ALLISON. I think the pay should be greater for these skilled veterinarians.

Mr. COCKRELL. There will be two to the cavalry regiments. Mr. ALLISON. As to the other suggestion made by the Senator from Massachusetts, I should be in favor of adopting it unless it shall turn out, as I believe it will, that a great many of the States in the Union have established veterinary colleges. We have in Iowa a department in our State agricultural college where veterinary surgeons are graduated, and many of them have graduated with the highest skill and attainments.

Mr. COCKRELL. But I wish to say to the Senator from Iowa that there have been veterinarians employed here in the city of Washington ever since I can recollect about Washington, and they have had no trouble in getting competent men at \$100 a month.

Mr. ALLISON. That may be true in Washington, but I should think—

Mr. COCKRELL. I did not propose that as the salary, but if you give the principal one of a regiment \$1,800 and the other \$1,600, that is nearly the pay of a first lieutenant and a second lieutenant.

Mr. ALLISON. I would give the others fixed pay.

Mr. TELLER. Mr. President—

The PRESIDENT pro tempore. The committee amendments are not yet disposed of.

Mr. TELLER. I wish to offer an amendment. I desire to offer an amendment and have it printed and lie on the table.

The PRESIDENT pro tempore. The amendment will be received, printed, and lie on the table.

Mr. SPOONER. Let it be read.

Mr. TELLER. Let my amendment be read.

The PRESIDENT pro tempore. The amendment will be read.

The Secretary read as follows:

Amend by striking out all of the bill after the enacting clause and inserting the following:

"That an act entitled 'An act for increasing the efficiency of the Army of the United States, and for other purposes,' approved March 2, 1899, be, and the same hereby is, continued in full force and effect for the period of three years from the 1st day of July, 1901."

The PRESIDENT pro tempore. The amendment will be printed and lie on the table.

Mr. PROCTOR. From the Committee on Military Affairs I propose two amendments, which I send to the desk.

The PRESIDENT pro tempore. The first amendment will be read.

The SECRETARY. On page 36, line 14, strike out the word "rank" and insert "grade."

The amendment was agreed to.

The PRESIDENT pro tempore. The next amendment will be read.

The SECRETARY. On page 36, line 16, strike out all of section 24 after the words "Military Academy," and insert the following:

Persons not over 40 years of age who have served as volunteers subsequent to April 21, 1898, may be ordered before boards of officers for such examination as may be prescribed by the Secretary of War, and who may establish their fitness before these examining boards, may be appointed to the grades of first or second lieutenant in the Regular Army, taking rank in the respective grades according to seniority, as determined by length of prior commissioned service; but no officer appointed under the provisions of this section shall be placed above another in the same grade with longer commissioned service, and nothing herein contained shall change the relative rank of officers heretofore commissioned in the Regular Army.

Enlisted men of Volunteers may be appointed second lieutenants in the Regular Army under the same conditions now authorized by law for enlisted men of the Regular Army.

Mr. TELLER. Mr. President, that is a very important amendment, and I ask the committee to allow it to be printed and lie over until to-morrow.

Mr. PROCTOR. Certainly.

The PRESIDENT pro tempore. Without objection, the amendment will be printed and lie over until to-morrow.

Mr. HAWLEY. I am authorized by the Committee on Military Affairs to move to insert on page 31 the words "and fifty" after the words "two hundred," in line 9. It gives 50 additional pri-

vates to the Signal Corps. The chief officer of the Signal Corps desires the amendment very much indeed.

The PRESIDENT pro tempore. The Senator from Connecticut offers an amendment from the Committee on Military Affairs, which will be stated.

The SECRETARY. On page 31, line 9, at the end of the line, after the words "two hundred," insert the words "and fifty;" so as to read:

Two hundred and fifty first-class privates.

Mr. PETTIGREW. I should like to know the reason for this proposed increase. There ought to be some reason for it besides a mere motion.

Mr. HAWLEY. The reason for it is the reason given for any addition of force anywhere that is needed. There is an immense telegraphing establishment or establishments, an immense number of lines, and continually growing, in the Philippines and the near-by islands, and there is much laying of cables. There is a heavy expense, of course, connected with it, and there is no small danger to life in the Signal Service. They go out to make communication, and two or three of them will be dropped by shots from the bushes. They are especially liable to that guerrilla warfare.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. BATE. Is that the amendment which relates to the Signal Corps?

Mr. HAWLEY. Yes.

Mr. BATE. There is another amendment on the subject, one that I have offered.

Mr. HAWLEY. Let us dispose of this one first.

Mr. BATE. Its adoption may defeat the one I have proposed.

Mr. HAWLEY. I think perhaps this is the one the Senator is thinking of. It gives 50 privates more in the Signal Corps.

Mr. BATE. Oh, no; that is not the one. My amendment gives 100 more. This is a very important matter. It involves the increase of some officers there, and I think it ought to go over. I ask that the amendment may be laid over until to-morrow.

Mr. HAWLEY. The Senator desires to postpone action for a day?

Mr. BATE. Yes, sir; because I want to see the relation it bears to the other amendment.

Mr. HAWLEY. I will not object.

The PRESIDENT pro tempore. Without objection, the proposed amendment will be printed and lie on the table until to-morrow. Are there further committee amendments?

Mr. ALLISON. We had under consideration a moment ago an amendment to section 22.

Mr. ALDRICH. We passed it over with the others.

Mr. ALLISON. They have been passed over. The committee will present them to-morrow, I hope, because I think that section ought to be amended.

Mr. GALLINGER. The amendment, as I remember it, relating to the Army canteen or post exchange, as the committee has now christened it, was passed over. I rise to request that that may go over until to-morrow, as there are some matters I want to look up in connection with it.

The PRESIDENT pro tempore. The Senator from New Hampshire asks that the amendment known as the canteen amendment may lie over until to-morrow. Is there objection?

Mr. SEWELL. I do not rise to object to that request, but to suggest to the chairman of the committee that the two amendments pending now, one for the increase of the Signal Corps by 50 first-class privates, and the other suggested by the Senator from Tennessee [Mr. BATE], increasing the hospital stewards of the Army 100, might be acted on to-night. There is no reason why they should go over.

Mr. PLATT of Connecticut. The Senator from Tennessee has asked that they may go over.

Mr. SEWELL. I suggest to the Senator from Tennessee that there is no reason why the amendment should go over. We are perfectly ready to act on it.

Mr. BATE. I have an amendment here that I think covers it, and it extends much further. It comes up in the morning and will be here printed in the morning.

Mr. SEWELL. Your amendment proposes an increase of the hospital stewards from 200 to 300.

Mr. BATE. Is that the one you refer to?

Mr. SEWELL. That is the one I think might be acted upon.

Mr. BATE. I thought you spoke of the Signal Corps.

Mr. SEWELL. That is an increase of 50.

Mr. BATE. And this is an increase of 100.

Mr. SEWELL. For the Hospital Corps?

Mr. BATE. Yes, sir; and I should like to be heard upon it.

Mr. FORAKER. The Senator from New Jersey is under a misapprehension. The Senator from Tennessee has two amendments, one as to the Hospital Corps and one as to the Signal Corps.

Mr. SEWELL. I do not think there is any objection on the part of the committee to either of them, and they may be acted upon now.

Mr. HAWLEY. If the Senator from Tennessee is willing, suppose we adopt the amendment of adding 50 privates to the Signal Corps.

Mr. BATE. I prefer that to go over. I want to compare that in the morning. There are several other things to go with that proposition, and I want to put them together. I think that is proper to be done. I am doing it at the request of General Greely, the head of that corps, and I want to see it done in that way.

The PRESIDENT pro tempore. There was an amendment passed over on page 39.

Mr. BATE. Mr. President, if you will allow me a minute I will say, in reply to the suggestion made by the Senator from New Jersey in regard to the Hospital Corps, that I have no objection to taking up that amendment and acting upon it, for I think the committee all agreed to it this morning. I do not think there will be any trouble about it wherein we increase from 200 to 250, but we increase the hospital stewards a hundred. The Surgeon-General approached me about it. As the law is now, he can not appoint a hospital steward unless he has been in the service for a year, and then he has to be in a certain time as an assistant before he can be appointed. That is the substance of it. He said to me that he could not perform the duties properly out in the Philippine Islands now for the want of this class of men, and he asked me to put it in for a hundred, and it is for a hundred hospital stewards. There is no commission about it, as you know. The object is merely to get the service of these men. He wants men properly prepared for this place, and he wants to get some of them from outside, because he can not get them in the Army.

Mr. FORAKER. I ask that the amendment be read.

Mr. BATE. I ask to have the amendment read, if the clerks have it at the desk.

The PRESIDENT pro tempore. What is the request of the Senator from Tennessee?

Mr. BATE. I said I had no objection to the suggestion of the Senator from New Jersey to taking up the amendment and disposing of it so far as it relates to hospital stewards. I think the committee this morning agreed unanimously that it should be done.

Mr. SEWELL. If the amendment is at the desk, let it be read.

The PRESIDENT pro tempore. The amendment of the Senator from Tennessee will be read.

The SECRETARY. The amendment proposed by Mr. BATE is, on page 26, line 7, after the word "examination," to insert the following:

Provided, That the Secretary of War be authorized to appoint in the Hospital Corps, in addition to the 200 hospital stewards now allowed by law, 100 hospital stewards: Provided, That men who have served as hospital stewards of volunteer regiments or acted in that capacity during and since the Spanish-American war for more than six months may be appointed hospital stewards in the Regular Army: And provided further, That all men so appointed shall be of good moral character and shall have passed a satisfactory mental and physical examination.

The PRESIDENT pro tempore. Is there objection to the present consideration of the amendment?

Mr. SEWELL. There is no objection to it.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. PETTIGREW. I ask to have it printed and go over until to-morrow.

The PRESIDENT pro tempore. The amendment has been printed.

Mr. PETTIGREW. I did not know it. I have not examined it. I should like to have it go over until to-morrow.

The PRESIDENT pro tempore. Under the unanimous-consent agreement, then, the amendment will go over until to-morrow.

Mr. MONEY. Has the amendment of the committee on page 29 been voted upon?

The PRESIDENT pro tempore. The Chair is informed that it has been.

Mr. MONEY. I desire to give notice that I will refer to that section to-morrow and offer certain amendments to it.

The PRESIDENT pro tempore. Under the unanimous-consent agreement, the Senator has that right. On page 39 there is an amendment, which was passed over, striking out section 37 and inserting a new section. That amendment has not been acted upon.

Mr. ALLISON. I ask that that may go over until to-morrow, and I move that the Senate proceed to the consideration of executive business.

Mr. HOAR. I should like to give notice of an amendment, and have it printed.

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Massachusetts?

Mr. ALLISON. Certainly.

Mr. HOAR. I offer an amendment and ask that it be printed, and also printed in the RECORD.

Mr. ALLISON. Let it be read.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. Add to section 40, page 43, the following additional proviso:

And provided further, That the President shall appoint a commission of nine persons, among whom shall be competent physicians and other scientific men, who shall investigate and report to Congress at its next regular session as to the effect of the sale of beer in such exchanges, canteens, or transports upon the health, discipline, and morality of the Army; and that meantime the sale or dealing in beer shall only be permitted under strict regulations to be prescribed by the Secretary of War.

The PRESIDENT pro tempore. The amendment will be printed and lie on the table. The Senator from Iowa moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After nine minutes spent in executive session the doors were reopened, and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 8, 1901, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 7, 1901.

APPOINTMENTS IN THE ARMY.

Ordinance Department.

First Lieut. Edwin D. Bricker, Seventeenth Infantry, to be first lieutenant, January 3, 1901.

Quartermaster's Department.

First Lieut. Arthur W. Yates, Fourth Infantry, to be assistant quartermaster, with the rank of captain, January 3, 1901.

Subsistence Department.

First Lieut. Alexander M. Davis, Fourth Cavalry, to be commissary of subsistence, with the rank of captain, January 3, 1901.

Andrew Geddes, late captain, Twenty-fifth Infantry, to be captain of infantry, December 18, 1900.

PROMOTIONS IN THE ARMY.

Subsistence Department.

Lieut. Col. John J. Clague, assistant commissary-general of subsistence, to be assistant commissary-general of subsistence with the rank of colonel, December 13, 1900.

Maj. William L. Alexander, commissary of subsistence, to be assistant commissary-general of subsistence with the rank of lieutenant-colonel, December 13, 1900.

Capt. George B. Davis, commissary of subsistence (major and commissary of subsistence, United States Volunteers), to be commissary of subsistence with the rank of major, December 13, 1900.

Artillery arm.

Capt. Constantine Chase, Fourth Artillery, to be major, December 15, 1900.

First Lieut. John K. Cree, Sixth Artillery, to be captain, December 15, 1900.

Second Lieut. William W. Hamilton, Second Artillery, to be first lieutenant, December 15, 1900.

Infantry arm.

Maj. Henry C. Ward, Twelfth Infantry, to be lieutenant-colonel, December 7, 1900.

Capt. Thomas S. McCaleb, Twenty-third Infantry, to be major, December 5, 1900.

Capt. Thomas F. Davis, Fifteenth Infantry, to be major, December 7, 1900.

First Lieut. John L. Hines, Second Infantry, to be captain, December 5, 1900.

First Lieut. Guy H. B. Smith, Fourth Infantry, to be captain, December 7, 1900.

Second Lieut. George D. Jarrett, Tenth Infantry, to be first lieutenant, December 5, 1900.

Quartermaster's Department.

Capt. William W. Robinson, jr., assistant quartermaster, to be quartermaster, with the rank of major, November 14, 1900.

Cavalry arm.

Second Lieut. Abraham G. Lott, Eighth Cavalry, to be first lieutenant, December 11, 1900.

Second Lieut. Edward L. King, Eighth Cavalry, to be first lieutenant, December 11, 1900.

Artillery arm.

First Lieut. John K. Cree, Sixth Artillery, to be captain, December 11, 1900.

First Lieut. Lucien G. Berry, Seventh Artillery, to be captain, December 15, 1900.

Second Lieut. William W. Hamilton, Second Artillery, to be first lieutenant, December 11, 1900.

Second Lieut. William E. Cole, First Artillery, to be first lieutenant, December 15, 1900.

Infantry arm.

First Lieut. Matthias Crowley, Seventh Infantry, to be captain, December 11, 1900.

First Lieut. Jacques de L. Lafitte, First Infantry, to be captain, December 11, 1900.

First Lieut. John J. Bradley, Fourteenth Infantry, to be captain, December 17, 1900.

APPOINTMENTS IN THE VOLUNTEER ARMY.

GENERAL OFFICERS.

To be brigadier-generals.

Col. Samuel M. Whitside, Tenth Cavalry, United States Army, January 3, 1901.

Maj. Charles Bird, quartermaster, United States Army, January 3, 1901.

STAFF OFFICERS.

First Lieut. Edward C. Brooks, Sixth Cavalry, United States Army, to be quartermaster of volunteers with the rank of major, January 3, 1901.

Capt. Charles Willcox, assistant surgeon, United States Army, to be surgeon of volunteers with the rank of major, January 3, 1901.

Capt. Henry A. Shaw, assistant surgeon, United States Army, to be surgeon of volunteers with the rank of major, December 19, 1900.

LINE OFFICERS.

Forty-fourth Infantry.

First Sergt. Ralph W. Jones, Company H, Forty-fourth Infantry, United States Volunteers, to be second lieutenant, December 15, 1900.

Thirtieth Infantry.

First Sergt. William B. Wallace, Company G, Thirtieth Infantry, to be second lieutenant, January 3, 1901.

Thirty-fourth Infantry.

First Sergt. John F. Murphy, Company G, Thirty-fourth Infantry, to be second lieutenant, January 3, 1901.

Forty-first Infantry.

Battalion Sergt. Maj. Reuel E. Sherwood, Forty-first Infantry, to be second lieutenant, January 3, 1901.

Forty-eighth Infantry.

Q. M. Sergt. William L. Gee, Forty-eighth Infantry, to be second lieutenant, January 3, 1901.

PROMOTIONS IN THE VOLUNTEER ARMY.

Forty-third Infantry.

First Lieut. Henry J. Stewart, Forty-third Infantry, to be captain, December 31, 1900.

Second Lieut. Walter S. Price, Forty-third Infantry, to be lieutenant, December 31, 1900.

Forty-sixth Infantry.

First Lieut. Charles F. Wonson, Forty-sixth Infantry, to be captain, December 30, 1900.

Second Lieut. Frank S. Leisenring, Forty-sixth Infantry, to be first lieutenant, December 30, 1900.

Forty-seventh Infantry.

Second Lieut. Paul W. Harrison, Forty-seventh Infantry, to be first lieutenant, December 25, 1900.

Forty-eighth Infantry.

Second Lieut. John K. Rice, Forty-eighth Infantry, to be first lieutenant, December 23, 1900.

Corpl. George Steunenberg, Troop A, Eleventh Cavalry, United States Volunteers, to be first lieutenant, December 20, 1900.

HOUSE OF REPRESENTATIVES.

MONDAY, January 7, 1901.

The House was called to order by the Clerk, Hon. ALEXANDER McDOWELL, who directed the reading of the following communication:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,
Washington, D. C., January 7, 1901.

To the House of Representatives:

I hereby designate and name Mr. JOHN DALZELL, a Representative from the State of Pennsylvania, to perform the duties of the Chair during this day, January 7, 1901.

D. B. HENDERSON,

Speaker of the House of Representatives.

Mr. DALZELL accordingly took the chair as Speaker pro tempore.

Prayer was offered by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of Saturday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 3313. An act extending the mining laws to saline lands;

S. 97. An act for the relief of Edward Byrne;

S. 2270. An act appropriating \$5,000 to inclose and beautify the monument on the Moores Creek battlefield, North Carolina;

S. 2470. An act for the relief of G. G. Martin;

S. 3349. An act to amend an act entitled "An act granting to the Eastern Nebraska and Gulf Railway Company right of way through the Omaha and Winnebago Indian reservations, in the State of Nebraska," by extending the time for the construction of said railway;

S. 4436. An act providing a means of acquiring title to two groves of *Sequoia gigantea*, in the State of California, with a view to making national parks thereof;

S. 4880. An act to amend an act entitled "An act granting the right to the Omaha Northern Railway Company to construct a railway across, and establish stations on, the Omaha and Winnebago Reservation, in the State of Nebraska, and for other purposes," by extending the time for the construction of said railway; and

S. 4804. An act to regulate the production and sale of milk and cream in and for the District of Columbia.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 12447. An act to amend an act approved June 1, A. D. 1900, entitled "An act to create the southern division of the southern district of Iowa for judicial purposes, and to fix the time and place for holding court therein."

The message also announced that the Senate had passed with amendments bills of the following titles in which the concurrence of the House was requested:

H. R. 11821. An act to ratify and confirm an agreement with the Muscogee or Creek tribe of Indians, and for other purposes; and

H. R. 11820. An act to ratify and confirm an agreement with the Cherokee tribe of Indians, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 4880. An act to amend an act entitled "An act granting the right to the Omaha Northern Railway Company to construct a railway across, and establish stations on, the Omaha and Winnebago Reservation, in the State of Nebraska, and for other purposes," by extending the time for the construction of said railway—to the Committee on Indian Affairs.

S. 4436. An act providing a means of acquiring title to two groves of *Sequoia gigantea*, in the State of California, with a view to making national parks thereof—to the Committee on the Public Lands.

S. 3349. An act to amend an act entitled "An act granting to the Eastern Nebraska and Gulf Railway Company right of way through the Omaha and Winnebago Indian reservations, in the State of Nebraska," by extending the time for the construction of said railway—to the Committee on Indian Affairs.

S. 2270. An act appropriating \$5,000 to inclose and beautify the monument on the Moores Creek battlefield, North Carolina—to the Committee on Military Affairs.

S. 97. An act for the relief of Edward Byrne—to the Committee on Military Affairs.

S. 2470. An act for the relief of G. G. Martin—to the Committee on Military Affairs.

S. 4804. An act to regulate the production and sale of milk and cream in and for the District of Columbia—to the Committee on the District of Columbia.

CORRECTION.

Mr. HOPKINS. Mr. Speaker, I desire to correct the RECORD. On page 632, when the gentleman from Maine on Saturday had the floor, this colloquy took place:

Mr. HOPKINS. Well, now, I deny it. I am not as familiar with pettifoggery as the gentleman.

Mr. LITTLEFIELD. I will prove it out of the RECORD itself.

Mr. HOPKINS. That is all right enough if the gentleman from Maine thinks he can effect anything in that way, because if there is any man who knows better than another what can be done in that way it is the gentleman from Maine.

Mr. LITTLEFIELD. The gentleman from Maine never yet defended a criminal, but he has prosecuted several in his time and he is after one now.

Mr. HOPKINS. That is the line of argument that we would expect from the gentleman from Maine from his previous course upon this floor, and I want to say to him right now that that will not change the course of the majority of this committee in the least. The facts that were presented by me yesterday are facts that I am willing to stand by regardless of the attitude of the gentleman or his remarks to me personally this morning.

Now, in the revision, the gentleman from Maine has stricken out the charge, or the statement, that the gentleman from Maine never yet defended a criminal, but has prosecuted several in his

time, and has left in the answer I made so it makes my answer to the first proposition the gentleman made entirely out of place. Now, I have no desire to have that statement which the gentleman made regarding the criminal in the RECORD if the gentleman on reflection desires to take it out; but what I insist is that the RECORD shall be corrected so I shall not be put in a false attitude in the RECORD itself. I say to the gentleman from Maine if he desires to eliminate the criminal charge I am willing the RECORD should be corrected, and the elimination of my answer also. But I am unwilling to have my answer stand without the other going in.

Mr. LITTLEFIELD. Mr. Speaker, I found on examination of the remarks made by the gentleman from Illinois on the preceding afternoon, that he had eliminated, in editing his remarks, the statement he made about the State of Maine robbing other delegations, and, having noticed that fact, I thought I would take the same course with my distinguished friend and make the elimination which I did. I am perfectly willing, however—

Mr. HOPKINS. Let me interrupt the gentleman right there. I will state to the gentleman that in my speech of the previous day there was nothing that misrepresented the gentleman from Maine. What I am complaining of is that he put me in a false attitude in the RECORD.

Mr. LITTLEFIELD. The gentleman from Maine has no desire to do that, and had no intention of that kind. I made the elimination to parallel the elimination made by the gentleman from Illinois. I do not desire to make the gentleman from Illinois appear improperly in the RECORD. What is the suggestion of the gentleman from Illinois?

Mr. HOPKINS. The gentleman from Maine can take his own course, either insert his remark or eliminate my answer.

Mr. LITTLEFIELD. I will leave that to the gentleman from Illinois.

Mr. HOPKINS. No; the gentleman from Maine is the one that must do that; whether he leaves it in the RECORD or not is immaterial to me.

Mr. LITTLEFIELD. It is entirely immaterial except that it may suit the distinguished gentleman from Illinois. I will make such amendment in the RECORD as he thinks puts him right.

Mr. HOPKINS. It is not for me to say. The gentleman made the charge, and it is for him to say whether it goes into the RECORD or not; but if it does not go in, then it is entirely proper that my answer should be taken out.

Mr. LITTLEFIELD. I will leave it to the gentleman from Illinois.

Mr. HOPKINS. No; the gentleman can not shift the responsibility.

Mr. WILSON of South Carolina. Mr. Speaker, it seems to be a question of who shall take the initiative, and I ask unanimous consent that the answer of the gentleman from Illinois be eliminated from the RECORD.

The SPEAKER pro tempore. The gentleman from South Carolina asks unanimous consent that the RECORD be corrected by eliminating the answer mentioned by the gentleman from Illinois.

Mr. HOPKINS. Mr. Speaker, I do not think that ought to be done unless it is done by the gentleman from Maine.

The SPEAKER pro tempore. Objection is made.

Mr. LITTLEFIELD. I have no objection to that course, if it is agreeable to the gentleman from Illinois. Either course is satisfactory to me. I shall not stand here to insist that the gentleman from Illinois shall insert in the RECORD the charge of robbery that he made in reference to the State of Maine and inferentially against "the gentleman from Maine." If he wants that to appear in the RECORD, or if he desires it to be taken from the RECORD (as he has already had it done)—if he wishes the matter to stand in that way, that is agreeable to "the gentleman from Maine."

Mr. HOPKINS. One moment right there. The gentleman can not shift the responsibility. There is nothing in my speech that misrepresents the gentleman from Maine. There was no change made in my speech that has any such effect. And it is not entirely frank for the gentleman to attempt to avoid assuming the responsibility in his own case.

Mr. LITTLEFIELD. Well, I have no desire to misrepresent the gentleman. The reason for making the elimination was precisely what I stated. If the gentleman from Illinois desired to remove from the RECORD a severe and harsh statement, I did not wish to be behind the gentleman in such a proceeding.

Mr. HOPKINS. Well, it is a little remarkable, Mr. Speaker, that the gentleman should retain in the RECORD my answer to a remark which was eliminated, the effect being to put me in a false attitude in the RECORD. If he desired to eliminate my answer, I was here all day; he could have seen me and obtained my consent to eliminate that answer, if he had thought fit.

A MEMBER. He had no right to change your remarks.

Mr. HOPKINS. But he could have seen me and asked that privilege.

Mr. RICHARDSON of Tennessee. I would like to ask the gentleman from Illinois a question. I could not hear his statement.

Are we to understand that the gentleman from Maine edited into the RECORD some intimation or insinuation—

Mr. HOPKINS. No; he edited out of the RECORD a statement that he made, to which I had made an answer; and he left in my answer, the effect being to put me in a false position in the RECORD.

Mr. RICHARDSON of Tennessee. But the point was, as I understood, that the gentleman from Maine edited into or edited out of the RECORD the statement or innuendo that he was after a "criminal." I would like to know which it was.

Mr. HOPKINS. He took that out, but left in the RECORD my answer; and what I complain of is that this puts me in a false position.

Mr. LITTLEFIELD. Does the gentleman from Illinois wish "the gentleman from Maine" to suggest that that answer go out? Would that be agreeable to the gentleman from Illinois?

Mr. HOPKINS. Entirely so.

Mr. LITTLEFIELD. Very well, then, I make the suggestion. The SPEAKER pro tempore. Without objection, the RECORD will be so amended.

Mr. RICHARDSON of Tennessee. Mr. Speaker, we can not hear what is going on, and we do not know what this agreement is.

The SPEAKER pro tempore. The Chair understands that the gentleman from Illinois and the gentleman from Maine have agreed that the answer of the gentleman from Illinois appearing in the RECORD shall be eliminated.

Mr. RICHARDSON of Tennessee. All right.

REAPPORTIONMENT.

Mr. HOPKINS. Mr. Speaker, I desire now to call up the bill which we have had under consideration—House bill 12740—making an apportionment of Representatives in Congress among the several States under the Twelfth Census. I have consulted with gentlemen on the other side about the time for closing debate on this bill and for taking a vote on the various propositions which will be submitted to the House. It will be agreeable to both sides, I think, so far as I have been able to get their views, that the general debate run on to-day and also to-morrow until 3 o'clock; that at 3 o'clock to-morrow the bill shall be read and considered in the House under the five-minute rule, subject to amendment and five-minute debate, but that the bill shall be finally disposed of before the adjournment to-morrow; the time occupied in debate to be equally divided between the friends of the bill of the committee and those of the Burleigh bill; and the chairman of the committee to control the time in favor of their bill and the gentleman from Maine [Mr. BURLEIGH] to control the time in opposition.

Mr. PEARSON. I rise to a parliamentary inquiry—whether this agreement requires unanimous consent.

The SPEAKER pro tempore. Certainly it does.

Mr. PEARSON. I shall be obliged to object unless some little hearing be given to me on this matter. I understood from the gentleman from Maine that I should be allowed thirty or forty-five minutes; but he informs me this morning that there is such a demand upon him that he will not be able to carry out that arrangement. I desire to say that so far as my State is concerned, and my district is concerned, no question has been presented in this Congress of more importance than this, and I can not vote intelligently for my people.

Mr. HOPKINS. Mr. Speaker, there has been plenty of time for debate. Speakers had to be hunted up on Saturday, and the debate has run now longer than it ought to, in view of the other legislation coming on. So far as I am personally concerned, I am willing that plenty of time shall be given to everybody; but the gentleman must know that after general debate shall close there will be the five-minute debate, and then I will ask the privilege of printing speeches on this subject for ten days, so that everybody can have a full opportunity of having his views made known.

Mr. SHAFROTH. Will the gentleman from Illinois permit me to ask him a question?

Mr. HOPKINS. Yes.

Mr. SHAFROTH. Do you expect to permit only one substitute?

Mr. HOPKINS. Well, there may be only one substitute; but I will say to the gentleman that the committee's bill is subject to amendment until it is perfected, and then after that the Burleigh bill is to be offered as a substitute.

Mr. SHAFROTH. If that does not pass, will the gentleman permit another substitute?

Mr. HOPKINS. You can have but one substitute.

Mr. SHAFROTH. I understand you can have only one substitute, but if it is voted down I would like to offer an amendment, and I hope the gentleman will not demand the previous question before I shall have an opportunity to do so.

Mr. HOPKINS. I will not.

Mr. SHAFROTH. Then, I have no desire to object.

Mr. PEARSON. I ask the gentleman from Illinois, for whom I have a very high regard, if he is not willing to make it half past 3?

I do not ask to close the debate, but desire to have thirty minutes. I ask that with a good deal of feeling, as a heart to heart thrust—

Mr. HOPKINS. I appreciate the position of the gentleman from North Carolina, and I have given away one hour's time more than I expected to in order to meet just such a demand as that of the gentleman from North Carolina; and I will say this, that under the five-minute debate, if too much time is not taken in voting, the gentleman can get time.

Mr. RICHARDSON of Tennessee. Mr. Speaker, it is impossible for us to hear, and we can not agree to any arrangement that is made unless we understand what it is.

The SPEAKER pro tempore. It is impossible to hear at the desk what is being said by gentlemen, and the House will please be in order.

Mr. PEARSON. I would like to have it understood that I am to have time.

Mr. FITZPATRICK. As the gentleman from North Carolina asks time, I am sure the gentleman from Illinois is willing that he shall have it, and I hope there will be no objection to giving him twenty minutes.

Mr. HOPKINS. I believe that the matter can be arranged between the gentleman from Maine [Mr. BURLEIGH] and myself.

Mr. PEARSON. I want that result to be certain.

Mr. JONES of Washington. Mr. Speaker, I want to say this: I do not desire to delay this matter, but the State of Washington is deeply interested in this bill. It requires that State to have 257,000 people to give us one Representative. Now, I want some time upon this bill. I do not want the time to talk to my constituents, but to present facts to this House, and I would like to have twenty or thirty minutes out of this general debate. I do not feel like consenting to fix a time without having some understanding as to what I am going to get.

Mr. HOPKINS. Mr. Speaker, I see no objection to having an evening session, if some of these gentlemen desire it.

The SPEAKER pro tempore. What is the request of the gentleman?

Mr. HOPKINS. I desire to have my request put as I made it.

The SPEAKER pro tempore. Including an evening session?

Mr. HOPKINS. No; not unless it is asked for.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that general debate on the pending bill continue to-day and to-morrow until 3 o'clock; that thereupon debate shall be had under the five-minute rule for amendment, and that a vote shall be taken on the bill before adjournment to-morrow, the time to be equally divided and controlled by the gentleman from Illinois on one side and the gentleman from Maine on the other. Is there objection?

Mr. JONES of Washington. Mr. Speaker, just a moment. On assurances that I am to be taken care of as nearly as possible, I will not object.

Mr. OTEY. Mr. Speaker, I would like to say that Virginia is very much interested in this matter.

Mr. HOPKINS. Virginia will be taken care of.

Mr. OTEY. On the assurance that Virginia will be given thirty minutes, I will not object.

Mr. HOPKINS. I understand that Virginia will have more than that.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. HOPKINS. I yield twenty minutes to the gentleman from North Carolina [Mr. KITCHIN].

Mr. UNDERWOOD. Mr. Speaker, I would like to take a moment to make a statement in reference to a pair. On Saturday I agreed to see that Mr. WANGER was paired in the RECORD. I had arranged a pair with one of my Democratic colleagues. Through a mistake it failed to go in the RECORD. It will appear, however, in the permanent RECORD. The gentleman from Pennsylvania [Mr. WANGER] has written to know why he was not paired. I merely make this statement so that it may go into the RECORD.

Mr. BARTLETT. Mr. Speaker, I desire to make a personal explanation in reference to this matter myself.

The SPEAKER pro tempore. Does the gentleman yield?

Mr. KITCHIN. No; the Chair has not yet recognized me.

The SPEAKER pro tempore. The gentleman from North Carolina is recognized as entitled to the floor for twenty minutes.

Mr. HOPKINS. Before the gentleman proceeds, I will ask one more unanimous consent, and that is for leave to print speeches in the RECORD for the next ten days, and also permission to extend remarks.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that leave to print be granted for ten days. Is there objection? [After a pause.] The Chair hears none.

Mr. KITCHIN. Mr. Speaker, I shall content myself with voting for the majority bill in this controversy. I shall first vote to strike out the amendment offered by the committee, because I believe that Congress has no power to direct the States as to the

manner in which they shall divide their districts. During the first fifty years of the Republic Congress merely apportioned the Representatives and said nothing of districts in the States.

In 1842 Congress said the districts should be composed of contiguous territory. While that was objectionable, yet contiguous has a certain meaning, and can hardly be susceptible of more than one interpretation. This committee amendment proposes to put in the words "and compact," which, I submit, is unwise as well as unauthorized by the Constitution, because "compact" may be liable to various constructions and become the cause of great confusion hereafter. Disappointed and defeated candidates, ever ready to complain, may base contests upon the shape of their districts and give the House an opportunity to unseat the successful candidate, and opportunity is often deemed duty.

The Constitution says that the Representatives shall be apportioned among the several States. After the States receive this apportionment, in my judgment, the powers of Congress are at an end. Congress should not go into the States and direct the creation of the districts. My colleague from North Carolina [Mr. KLUTTZ], a member of the Census Committee, with his usual ability and diligence, has fairly and fully considered the pending measures, and his conclusion meets my approval.

But, Mr. Speaker, not only are the Burleigh substitute and the majority bill pending, but the Crumpacker bill is also before this body. Since the gentleman from North Carolina [Mr. LINNEY], the gentleman from Indiana [Mr. CRUMPACKER], and the gentleman from Pennsylvania [Mr. OLMSTED] seem disposed to push this proposition to the front, I think it proper that it should be met at this time.

As is well known, immediately after the war, when the fourteenth amendment was adopted, it had in view negro suffrage throughout the South, but it did not attempt to compel it. It held forth an inducement to the States to grant it. That inducement is found in the fourteenth amendment, in the second section, the penalty of reduced representation being declared against States that refused the right of suffrage to the negro race. President Lincoln never wanted negroes to become voters. He recognized that the white race is superior to the black one, and, as he said in his speech at Charlestown, these two races could not live upon terms of equality, that there were physical differences which would prevent them from solving, and since that was a fact he declared himself in favor of assigning the superior position to the white race.

That sound view was not altogether obliterated when the fourteenth amendment was adopted. But in the days of reconstruction, and as I believe in hostility to the white people of the South, the opinion grew that negro suffrage should be forced upon the people of the eleven Southern States, and so the fifteenth amendment was presented and compelled to be adopted throughout the South by means that can not be approved by honest men, while great States in the North were voting their disapproval of it. Without the compulsory and vicious means used in the South it would not have been adopted. However, as Mr. Boutwell, who had charge of the fifteenth amendment while pending in this body, said, it was designed to carry out the powers placed in Congress by the fifth section of the fourteenth amendment.

It prescribed that the right to vote should not be denied or abridged on account of race, color, or previous condition of servitude. That was the ultimate purpose of the second section of the fourteenth amendment, which had the penalty of reduction of representation in it. Mr. Speaker, that being the purpose of the fourteenth amendment, and the fifteenth amendment being the enforcement of that purpose, then unless a State violates the fifteenth amendment Congress has no power to act against her under a fair and reasonable interpretation of these two articles of the Constitution construed together.

Mr. Blaine, in his Twenty Years of Congress, says:

When therefore the nation by subsequent change in its Constitution declared that the State shall not exclude the negro from the right of suffrage it neutralized and surrendered the contingent right it before held to exclude him from the basis of apportionment. Congress is thus plainly deprived by the fifteenth amendment of certain powers over representation in the South which it previously possessed under the provisions of the fourteenth amendment.

When the fifteenth amendment says that the States shall not deny or abridge the right to vote on account of race, color, or previous condition of servitude, the mentioning of these three conditions, in my judgment, is an exclusion of all others, and is tacit permission to the States for any other cause than race, color, or previous condition of servitude to abridge or deny the right of suffrage without penalty. The United States Constitution in no wise deprives a State of the right to prescribe qualifications for her voters, nor does it, in my judgment, impose any penalty upon the exercise of that right, and the true meaning of the fifteenth amendment is that if a citizen has the qualifications prescribed by a State, then his right to vote shall not be denied on account of race, color, or previous condition. But I call the attention of the gentleman from Indiana to this proposition, that when the

State of Massachusetts has an educational qualification, and the State of Pennsylvania a tax-paying qualification, it is not a denial of the right of suffrage.

If the gentleman from Indiana [Mr. CRUMPACKER] will consider, he will find a vast distinction between a denial of a right and the qualifying of that right. The Supreme Court of the United States held that the act of Congress which excludes from the mails newspapers, etc., containing advertisements of lotteries and other lottery information does not abridge the freedom of the press. It is certainly a qualification of it. We frequently have rights which are absolute in themselves, and yet in order to enjoy them we must qualify ourselves. Requiring those who desire appointments to stand a civil service examination is not a denial of the right to hold office. When we say that a man must be registered before he can vote it is not a denial of the right to vote. We merely tell him that he has the right but before he can exercise it he must qualify by registering. The law may tell him that he must pay his poll tax before he can exercise the right he already has.

Massachusetts tells him that he must be able to read and write before he can exercise this right, and when Massachusetts imposes the educational qualification upon a voter she has not denied him the right to vote, she has not abridged his right to vote, because, as I gather from the dictionaries, abridgment means to cut off. It practically means the same thing as to deny. You have not cut off a man's right, you have not denied the man's right to vote when you prescribe reasonable qualifications.

The late Senator Charles Sumner in debating suffrage admitted that knowledge was a proper qualification for a voter. Hon. George S. Boutwell, in answer to a direct question, said that the fifteenth amendment would not prevent property or educational qualifications.

Mr. Speaker, the State of North Carolina, which has been so greatly misrepresented here, in my judgment, has not denied the right to vote on account of race, color, or previous condition of servitude. But I will not now discuss this, as during the last session I fully discussed the North Carolina amendment. She has prescribed reasonable qualifications. Chief among them is the educational test, the test that Massachusetts, Wyoming, Connecticut, and other States have. After 1908 no one registers under the so-called "grandfather" clause for the first time. I will append the whole amendment to my remarks when published. Mr. Speaker, I think that there is a bitter sectional spirit in this proposition to reduce the representation of North Carolina and other States.

While the great majority of business men in the North, and, I believe, its best and most patriotic statesmen, bear no sectional spirit hostile to the South, this proposition has shown that many men in the North still are ready to arouse sectionalism and create prejudice against the South. The time has not yet come when the Republican party can be considered the friend of the South. Let those who have thought so consider this proposition and be undeceived. Yet I rejoice that many of the ablest Republican leaders in this House do not encourage this proposition.

I believe the record shows a partisan spirit in this attempt to reduce representation. The gentleman from Indiana [Mr. CRUMPACKER], in his original bill, that truly represented his purposes, instead of decreasing increased the representation of Massachusetts and decreased the representation only of Southern States. The Congressional Directory, showing the vote by which members of this House were elected, shows that in the State of Massachusetts in 1898 there were only 22,000 votes cast in each Congressional district, while in the State of North Carolina there were cast in each district 36,000 votes.

In the State of Pennsylvania there were cast only 29,000 votes in each district; in the State of Maine, 18,000; in Vermont, 21,000; in Rhode Island, 19,000. Now, if the gentleman from Indiana had dealt with Massachusetts as he dealt with North Carolina, instead of increasing the representation of Massachusetts he would have reduced her representation from 13 to 6, or in about that proportion.

But, Mr. Speaker, if you believe that the conduct of Massachusetts and North Carolina falls under the operation of the second section of the fourteenth amendment, how should you proceed? The only possible way for fair men to reach the proper result would be to find out, in the first place, a matter which these gentlemen on the other side have not fully considered, whether, except for crime, any man's right to vote is denied, which we controvert; second, whether the fourteenth amendment in that respect was not completely merged into the fifteenth amendment, as I contend it was; and then, finally, if he concludes against us on those propositions, it would be his duty to find out exactly how many people of North Carolina could vote under our laws when they become effective, and how many would be legally refused the right to vote when they endeavor to comply with the election laws, and also the grounds of such refusal.

The gentleman will tell you when he considers these questions that there will not be a thousand white men in the entire State of

North Carolina who will fail to vote if they so desire. He will tell you that there will not be to exceed 50 per cent of the colored men who will not vote if they so desire. He will find that our reduction in any event could only be in the proportion of about 15 to 100, as the recent census will show only about 30 per cent of our population to be colored—perhaps not that much. But instead of these just figures, the gentleman presented a bill which reduced the representation of North Carolina to 5 members, cutting off 4 of her 9, while at the same time he put up the representation of the State of Massachusetts to 14 instead of her present number of 13. And yet everyone who can qualify under the law of Massachusetts can qualify under the North Carolina amendment.

A qualification, Mr. Speaker, is something that is attainable. If a State should say that a man should not vote unless he had red hair or blue eyes, since the color of his hair and eyes are fixed, that would be cutting off the right of others to vote; but when you prescribe a reasonable qualification, one that is attainable—and I am but giving you the definition of a qualification that Mr. Sumner gave in the Senate—when you prescribe an attainable thing, which is reasonable, it is a mere qualification, a qualification of a right that still exists in the voter. While if you deny the right on account of color the black man can never become a voter; if you deny the right to blue-eyed men, a blue-eyed man can never become a voter. These would not be qualifications. They would be denials and abridgments, but when you prescribe a poll tax or an educational test, you are prescribing reasonable qualifications within which every citizen may bring himself.

Another proposition. If, as the gentleman from Indiana [Mr. CRUMPACKER] and the gentleman from North Carolina [Mr. LINNEY] both contend, the laws of Louisiana and North Carolina are unconstitutional, why should you base upon an unconstitutional act an attempt to deprive a sovereign State of its just representation? Sirs, if you believe these provisions are unconstitutional, you should regard them as nullities, presume that they will be so declared, and should not attempt to cut down the representation on that account.

Mr. Speaker, representation and taxation should go together. It has not been claimed that voting and taxation should go together, for women, insane people, and minors pay taxes. The man who does not vote pays his part of the taxes just as the woman, the minor, and the nonvoter do. The individual voter now represents the women, children, and nonvoters. The gentleman from Indiana [Mr. CRUMPACKER] and the gentleman from North Carolina [Mr. LINNEY] would deny representation to these tax-paying nonvoters. While we have only placed the nonvoter in the same category with the women and the children, they place him upon the level of the mule and the ox, and would deny him representation.

If you are going to let the number who vote determine representation in the House, then you will increase the representation of Colorado, Utah, Idaho, and those States which extend suffrage to women. That would be proper as a matter of right from their argument, aside from constitutional provisions.

But, Mr. Speaker, the gentleman from North Carolina [Mr. LINNEY], in my judgment, on Saturday did his native State a grave injustice in his fourth or fifth annual diatribe against the Democracy of North Carolina. We have heard him often, and his latest revised edition perhaps contains more venom and injustice than any of his former efforts. It is not a new assault that he delivers. He argued that the white counties of North Carolina were Republican.

I deny it. Take the election of August, 1900, and, eliminating every single county with a black majority in the State, it went Democratic by 39,000 majority. Take the election of November, 1900, and, eliminating every county that has a black majority, the State went for Bryan and Democracy by 15,000. Under the election law that the gentleman's own party gave our people, an election law that gave the Fusionists in North Carolina the absolute control over the election, the people of North Carolina were so shocked and shamed at the rule the Republican party had given the State that they hurled them from power by a majority of 24,000 in November, 1898.

The gentleman talks about the counties of Halifax and New Hanover. In one county he says the Democrats got a vote of about 3,000 and Republicans only 2, and that the other gave more votes than it had registered voters. Ah, Mr. Speaker, if the gentleman had been entirely candid, and, not arguing from a partisan standpoint, intended to give the members of this House a fair understanding of the conditions there, the gentleman would have gone one step further and would have told you that the county of New Hanover had been afflicted by his own party with 86 negro officials. He might have told you that the same spirit that thrills the white man in North Carolina thrills the white man in Indiana, where recently white mobs lynched two negroes for murdering a white barber. He might have told you that the spirit that thrills the white man in North Carolina is the same

that thrills him in Pennsylvania, the home of the gentleman who is so anxious to investigate these matters.

He might have gone to Illinois and found that wherever the white man looks to the blue sky the spirit of superiority and progress stirs within him. He would have told you that under the disgraceful and shameful régime inflicted upon the people by the Republican party the white men did rise in their might and hurl them from power. The gentleman wants to know if that is fair. Was the election conducted fairly? I tell you in the light of a sound philosophy, in the eye of civilization and justice, it was fairer and juster than the disgraceful régime that made that revolution necessary. [Applause.]

The white people there have done no more than such people would do in any community. Wherever the negro race numerically predominates in the South there the white men stand almost unanimously together. As the negroes throughout the State vote almost solidly together, so the overwhelming majority of the white race, with its superior virtue and intelligence, vote together, and they must necessarily do so to preserve their civilization and their supremacy. Those who think that negro majorities in several counties of the State should control those counties and their good towns may criticize Democratic successes there; but they can certainly deceive no one by asserting that there is no danger in negro domination since there are more whites than blacks in the State.

One might as well have told the citizens of this city in 1864 that there was no danger in the Confederate army, since there were four times as many Federal soldiers as there were Confederates. The deception in the assertion is disclosed by the fact that in many localities the black race predominates, and in those localities the danger is, although the State has a large white majority. As an example, the county of New Hanover three years ago, when the Republicans were in control, had a negro register of deeds, negro deputy sheriffs, 40 negro magistrates or justices of the peace, a negro county commissioner, and its great city, Wilmington, had several negro aldermen, several negro policemen, and negro health officers.

The Democratic party of the South is against such conditions and believes it right to take constitutional steps to prevent their return, and the Republican party has in vain attempted, and will in vain attempt, to stop its progress. It has interposed against the Democracy 90,000 negro votes in North Carolina, but the Democracy triumphed. Its continued fight on our amendment will hurt itself and help us.

Mr. Speaker, since the civil war long years have passed. Is it not time for the country to be given rest from sectionalism? Can gentlemen still in the North grow in popularity by condemning the dominant element in the South? If so, let us hasten the passing away of such conditions. I appeal to the patriotic members of this body, and I hope they all are patriotic, to set the seal of disapproval upon the Crumpacker proposition, and let the country know that Congress will not for prejudice or unjust cause undertake to strike down the power of any sovereign State.

APPENDIX.

The North Carolina constitutional amendment adopted by the voters at the general election held on August 2, 1900.

ARTICLE VI.

SUFFRAGE AND ELIGIBILITY TO OFFICE.

SECTION 1. Every male person born in the United States, and every male person who has been naturalized, 21 years of age, and possessing the qualifications set out in this article, shall be entitled to vote at any election by the people in the State, except as herein otherwise provided.

SEC. 2. He shall have resided in the State of North Carolina for two years, in the county six months, and in the precinct, ward, or other election district in which he offers to vote four months next preceding the election: *Provided*, That removal from one precinct, ward, or other election district to another in the same county shall not operate to deprive any person of the right to vote in the precinct, ward, or other election district from which he has removed until four months after such removal. No person who has been convicted, or who has confessed his guilt in open court upon indictment, of any crime the punishment of which now is or may hereafter be imprisonment in the State's prison shall be permitted to vote unless the said person shall be first restored to citizenship in the manner prescribed by law.

SEC. 3. Every person offering to vote shall be at the time a legally registered voter, as herein prescribed, and in the manner hereafter provided by law, and the general assembly of North Carolina shall enact general registration laws to carry into effect the provisions of this article.

SEC. 4. Every person presenting himself for registration shall be able to read and write any section of the Constitution in the English language; and before he shall be entitled to vote he shall have paid, on or before the 1st day of May of the year in which he proposes to vote, his poll tax for the previous year, as prescribed by article 5, section 1, of the constitution. But no male person who was on January 1, 1867, or at any time prior thereto, entitled to vote under the laws of any State in the United States wherein he then resided, and no lineal descendant of any such person, shall be denied the right to register and vote at any election in this State by reason of his failure to possess the educational qualifications herein prescribed, provided he shall have registered in accordance with the terms of this section prior to December 1, 1908.

The general assembly shall provide for the registration of all persons entitled to vote without the educational qualifications herein prescribed, and shall, on or before November 1, 1908, provide for the making of a permanent record of such registration, and all persons so registered shall forever thereafter have the right to vote in all elections by the people in this State, unless

disqualified under section 2 of this article: *Provided*, Such person shall have paid his poll tax as above required.

SEC. 5. That this amendment to the constitution is presented and adopted as one indivisible plan for the regulation of the suffrage, with the intent and purpose to so connect the different parts, and to make them so dependent upon each other, that the whole shall stand or fall together.

SEC. 6. All elections by the people shall be by ballot, and all elections by the general assembly shall be viva voce.

SEC. 7. Every voter in North Carolina, except as in this article disqualified, shall be eligible to office, but before entering upon the duties of the office he shall take and subscribe the following oath:

"I, _____, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as _____. So help me God."

SEC. 8. The following classes of persons shall be disqualified for office: First, all persons who shall deny the being of Almighty God. Second, all persons who shall have been convicted, or confessed their guilt on indictment pending, and whether sentenced or not, or under judgment suspended, of any treason or felony, or of any other crime for which the punishment may be imprisonment in the penitentiary, since becoming citizens of the United States, or of corruption or malpractice in office, unless such person shall be restored to the rights of citizenship in a manner prescribed by law.

SEC. 9. That this amendment to the constitution shall go into effect on the 1st day of July, 1902, if a majority of votes cast at the next general election shall be cast in favor of this suffrage amendment.

Mr. HOPKINS. I now yield fifteen minutes to the gentleman from Iowa [Mr. LACEY].

Mr. LACEY. Mr. Speaker, the measure proposed by the minority of the committee might properly be denominated "a proposition to still further reduce the opportunity of members of the House to debate the questions before it." We have just had a striking example of the inability of this House to debate by the discussion this morning as to leave to print, or the cogitation in the RECORD that is to take the place of debate in the House. Why is this? Why should members be compelled to write for the dead RECORD instead of talking to the living members? It is because of the size of the House.

If the House were 360 members, and in the short session should set apart one hour to each member for debate, you will find by computation that, including the holiday recess, there are exactly 360 debating hours in the whole time, giving five hours session each day; so that the 357 members and three delegates (making no allowance for the delegate from Hawaii, who ought to be counted)—but I take 360 because there are only 360 hours, and there would be just one hour apiece for each member.

The result of this enlarged House has been that rules have necessarily been adopted to cut off debate and take away from this body its deliberative power. If you increase the number to 400 you still further curtail the rights of each member. But the proposition is to increase it in this way, so as to keep the progress of the country parallel with the slow growth of population in Maine and Virginia.

I have prepared a table, which I will insert in my remarks, that will show what has become of the population of Virginia and Maine.

From the Congressional Directory, which I have examined for the purpose, I find that the Senators and Representatives representing the various States give their nativity as follows:

State.	Senators and Representatives—	
	Born in State.	Representing State.
Alabama	14	11
Arkansas	5	8
California	0	9
Colorado	0	4
Connecticut (including GROSVENOR of Ohio and GROW of Pennsylvania)	6	6
Delaware	2	*3
Florida	2	4
Georgia	14	13
Idaho	0	3
Illinois	20	24
Indiana	17	15
Iowa (of which 3 are in Nebraska and 1 in Washington)	8	13
Kansas	1	9
Kentucky	21	13
Louisiana	4	8
Maine (including ALEXANDER of New York, ROBERTS of Massachusetts, FLETCHER of Minnesota, and PERKINS of California)	10	6
Maryland	8	8
Massachusetts	21	15
Michigan	6	14
Minnesota	1	*9
Mississippi	12	9
Missouri	9	17
Montana	0	3
Nebraska	0	8
Nevada	0	3
New Hampshire	4	4
New Jersey	8	10
New York	48	36
North Carolina (including CANNON of Illinois and HAWLEY of Connecticut)	15	11

*1 vacancy.

State.	Senators and Representatives—	
	Born in State.	Representing State.
North Dakota	0	3
Ohio	37	23
Oregon	0	4
Pennsylvania	36	*30
Rhode Island	6	4
South Carolina	9	9
South Dakota	0	4
Tennessee	21	12
Texas	6	15
Utah	2	*3
Vermont	10	4
Virginia (Virginia 20, and West Virginia, formerly Virginia, 6)	26	12
Washington	0	4
West Virginia	0	6
Wisconsin	7	12
Wyoming	0	3

*1 vacancy.

Foreign born, 22.

Maine has to-day in this Congress, in the Senate and House, from various States, 10 members. She would have under the present apportionment only 6. And yet Maine has on the floor of the two Houses of Congress Mr. ALEXANDER of New York, Mr. ROBERTS of Massachusetts, Mr. FLETCHER of Minnesota, and Mr. PERKINS of California, in addition to her own membership. Take the State of Virginia and she would be entitled to 10 Representatives and 2 Senators, total 12. She has in the Senate and House to-day 26 of her sons as members. Her population has been exported. Some of these wanderers have been returned to Congress. I was up in Maine a few years ago taking depositions in a will case with a distinguished Maine lawyer, and we took a team and a notary public along with us, and traveled over York County, in the district lately represented by Speaker Reed, at present represented by the gentleman from Maine, Mr. ALLEN.

The six witnesses first examined, in response to the interrogatory "What is your name, age, place of residence, and occupation?" gave their age in each case as over 80. The seventh witness, when I asked him his age, said "64." I said, "You are quite a young man." He replied, "Yes, for Maine." [Laughter.] The old men remain in the old homes. The young people have emigrated from Maine. They have "gone West to grow up with the country." And they have made themselves felt wherever they have gone. A Maine man is like a Scotchman, of whom it has been said that "whenever you find anything in this world that is worth anything you either find a Scotchman sitting near waiting for it or sitting down on top of it." So with Maine men; wherever you go in the United States you will find a Maine man leading the procession. Maine has now the Chief Justice of the United States Supreme Court, coming by way of Illinois, in the person of Justice Fuller.

Mr. OTEY rose.

Mr. LACEY. I will say to my friend from Virginia that if the same thing might be said in regard to that State modesty would forbid me to say it.

Mr. OTEY. May I ask the gentleman a question?

Mr. LACEY. I have but fifteen minutes, but I will yield for a question.

Mr. OTEY. You are from Virginia yourself, I believe?

Mr. LACEY. Yes, sir.

Mr. OTEY. That is all I wanted to know. [Laughter.]

Mr. LACEY. I pleaded guilty to that charge, by indirection at least, a moment before the gentleman asked the question.

Now, sir, we can not keep the membership of this House within reasonable bounds and at the same time keep the growth of the membership in line with the growth of Virginia. Why? Because people who have the honor of being born there move away to some place where the soil is more fertile. That is the natural course of the human race.

I have given the nativity in the table of the members of all the States. Twenty-two of them are from foreign countries, and the balance were born in the United States. Now, take the State of Ohio. She is entitled to 23 representatives in this body and in the Senate. She has 37 native sons in the two Houses of Congress. California has an organization known as "The Native Sons of California." Yet California has no "native son" in either the Senate or the House—because the people of that State are mainly men who have been born somewhere else. But we can not continue representation in this House upon the present ratio without making the House too cumbersome for the transaction of business.

Why, sir, the very gentlemen who ask for the adoption of the minority report on this bill, increasing the membership to 384, complain constantly that even now there is no time for debate. The appeal is made to the chairman of the committee controlling

the present bill, "Give us leave to print our remarks in the RECORD." Why is this? Simply because the House has outgrown in numbers a body in which debate can be fully, intelligently, and profitably carried on.

When the number of offices of a certain class has been fixed it is almost impossible to ever after reduce that number. This is human nature. During the Spanish war complaint was made that some dynamite had been found somewhere in the purlieus of the Capitol. We immediately put on twelve additional policemen to protect the Capitol from the Spanish dynamiter. The Spanish war is over, and now the same twelve extra policemen are protecting us from the Filipinos! [Laughter.] If we should come back here a thousand years from now, those twelve men, represented by their successors, would be found watching for Spanish dynamite! It seems impossible to abolish an office when once it has been created. We have the number of Representatives now fixed at 357. Increase that number to 386 or 390 and it can never be reduced below that number.

The proposition of the majority now is to continue the House at its present number—burdensome, cumbersome, and unwieldy as the body now is, making business and debate difficult enough. That is the proposition; and I think that, in the light of our experience, we ought not make any increase. The House is already not only big enough, but too large.

A State makes a mistake when it assumes that its dignity in Congress depends upon the number of its Representatives. Take Maine, for example, with only 4 members. Those 4 Representatives from the Pine Tree State in past Congresses have controlled and shaped the legislation of this country beyond those of States with four, five, or six times that number. The influence and power of a State in this House depend on the strength and character of its delegation. The time must come when Maine must be cut down to 3 Representatives, or else this House must become still more unwieldy than it is to-day.

Under the Constitution one-fifth of the members present may require a roll call and the record of the yeas and nays. At present calling the roll and announcing the pairs, followed by a recapitulation of the vote, requires almost one hour with the present membership of the House. To increase the number of the membership adds greatly to this difficulty.

I do not think the opportunity for deliberation ought to be reduced by any material addition to the present large membership. Under the Constitution a majority of the whole constitutes a quorum. In Great Britain a quorum of only 40 members of the House of Commons is required.

The larger the membership the harder it is to obtain and preserve the attendance of a quorum. Let us not embarrass the House further by adding to the burdens of the quorum and roll call.

I called the attention of the gentleman from Maine [Mr. LITTLEFIELD] the other day to the inequalities of the bill proposed by his colleague [Mr. BURLEIGH]. Take the population of Maine, multiply it by 3, and it does not equal the population of the State of Iowa, an excess of over 38,000 remaining. Multiply the representation of Maine by 3, and it would give Iowa 12 members. With more than three times the population of Maine, Iowa's quota is less than three times that of Maine by one member. The Burleigh bill proposes to give Iowa 11 members and Maine 4. It thus appears that it is not equality of representation that some gentlemen are seeking, but inequality. They are desiring to retain the present number of Representatives in their States in any way that it can be done, without much reference to the inequalities that may result elsewhere.

This is perfectly natural. We find the same thing in Maine that we do in other States. Take the State of Virginia, the grand old "mother of Presidents." She has made but slow growth. It must continue to be slow. With the mountains that cover her surface in part, and with the poverty of the soil in other parts, the increase of population must necessarily be tardy. Many good men stay in Virginia; many good men move away from it—so, too, with Maine.

Then compare the States of the West. Indiana has become an emigrating State. So with Ohio. Ohio would be cut down one by this bill. But there are already 36 of her sons in Congress, while 23 is the limit of her own delegation under existing law. An Ohio man, wherever he goes, turns his face toward the capital of the country, and in many cases is sent here by constituencies, the mass of whom may be born in other States. How is it with the State of New York? New York has 36 of her own Members and Senators at present, and yet there are 48 natives of New York in the two Houses, because New York is a great State for emigration. Her sons will be found in every nook and corner of the Union.

Indiana, which will lose 1 member under the proposed bill, has 15 members and Senators now, and yet there are 17 Indians on the floor of the two Houses.

A MEMBER. How about Massachusetts?

Mr. LACEY. My friend asks about Massachusetts. Massachusetts has 15 members and Senators, and yet there are 21 natives of that State in the two Houses to-day. So, then, it is perfectly obvious that we can not take care of those States that are growing more slowly than the average and keep up the representation which they now have, and at the same time not enlarge this body beyond the limits necessary for reasonable transaction of business. One-third of the population of Iowa are either directly or indirectly from Ohio. One-third of the people of Kansas are either directly or indirectly from the State of Iowa. The emigration is thus moving on first to Indiana, then to Illinois, then to Iowa, and then to Kansas.

But complaint is made about the reduction of Nebraska. That is largely due to the overcapitalization of the population of Nebraska in the census of 1890. The city of Omaha has apparently declined 40,000 from 1890 to 1900. That decline is apparent and not real. It is unquestionably a result of the fierce competition between Omaha and other cities on the Missouri River in the census of 1890. The same condition exists elsewhere to-day. There are cities whose census has been taken this year that will undoubtedly show unsatisfactory growth in 1910 because they have succeeded in some degree in padding in the year 1900.

It is impossible to retain the present membership of all the States (much as we should like to do so) and at the same time recognize the wonderful growth of some of the other States.

As to the reduction of the representation of Louisiana, South Carolina, Mississippi, and North Carolina because of the disfranchisement of the colored voters there, it seems to me that there is no room for debate. The fifteenth amendment to the Constitution provides:

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being 21 years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

The mandate is decisive and imperative. These States may, under the guise of requiring an educational qualification, deny the right to vote to a portion of their male inhabitants, but in doing so they must incur the penalty of a proportionate reduction of their representation in Congress.

The justice of this is self-evident, and the obedience to the Constitution is required by the official oath of every member of Congress.

If these States desire to deny the right of suffrage, they ought to be willing to accept the result of the reduced representation required by the fifteenth amendment to the Constitution.

[Here the hammer fell.]

The SPEAKER pro tempore. The gentleman from Indiana [Mr. CRUMPACKER] is recognized for one hour.

[Mr. CRUMPACKER addressed the House. See Appendix.]

Mr. WILSON of South Carolina. Mr. Speaker, this contest, involving as it does very important political and public considerations of at least ten years' duration, centers around the Hopkins bill and the Burleigh bill, the one providing a House of 357 members and the other a House of 386. There was a very interesting prelude in the resolution introduced last week by the gentleman from Pennsylvania [Mr. OLMSTED] in which, like King Philip of old, he marched up the hill and down again, accompanied in his grand march by the solid vote of that side of the House, one of whom was the distinguished chairman of this committee, accomplishing finally the result which might as easily have been attained by simply depositing his resolution on the desk of the House, which in due course would have been referred to the proper committee, as was ultimately done. That is followed by the discussion of the gentleman from Indiana [Mr. CRUMPACKER], in which he makes a very able argument upon his incongruous, imperfect, wild, and fantastic bill, supported by a very lengthy report, in which he seeks to cut down the representation of four States—South Carolina, Mississippi, North Carolina, and Louisiana—to the extent of about 40 per cent of their present representation. Of course we all understand that it is mere *brutum fulmen*. That is the last this Congress will ever hear of it, except perhaps some formal vote at the end of these proceedings.

The real issue, and to that I shall chiefly direct my attention, is whether the Hopkins bill or the Burleigh bill, either or both of them, with or without amendment, shall be adopted by this House and this Congress.

Now, I shall not ascribe improper motives to the chairman of this committee. Ascriptions of that sort may be made with greater ease than justice. I accord to him the same candor, earnestness, and fairness that I claim myself. He, with a majority of the committee with him, adopts the number 357, because,

in his good judgment, that is the number which he desires above all others to be adopted by this House. The gentleman has managed his side of this question with the very great ability, tact, and skill for which he is already renowned. He has associated with him, as a bulwark behind which he presents his case, the titanic Webster. He uses him as his authority, and asks this House to swallow, cap, boots, and all, his number 357, because, forsooth, if Webster were here he would do the same thing. Now, my friend, in all sincerity, of course, is simply hoodooing this House, as I shall show you beyond all question by the figures I shall present.

I shall show that he has not followed Webster, that he has departed from Webster, and that the only thing in the world he has followed is, blindly, the tracks of the Congress that adopted the eleventh apportionment, ten years ago. If that Congress had said that this House should be composed of 400 members, my friend, with the same logic, with the same argument, with the same consistency, would have favored 400 now. If that Congress had said 350, why 350 would be his number to-day. Three hundred and fifty-seven is his Dulcinea; he levels his guns at every other number that would dare to compete with it. It is his pet number, the present number of the House, and he makes the figures to suit it, as I shall show you. [Laughter.]

Now, I want to tell this side of the House that 357 has been adopted by the majority of this committee, led by the chairman, notwithstanding its effect is most unfairly, most unjustly, and in violation of every precedent of every apportionment that has ever been adopted in this country to summarily rob three States of a member to which each is entitled under the very system or process which he ostensibly applies.

Why does not he select 360 instead of 357? "Oh," he says, "that would disturb the beauty, the symmetry, the perfection of my process, which is based on 357." Why is 357 necessary? The answer is that 357 is the present number of the House, and that we have a large enough body already. The whole argument, then, is based upon the present membership of the House and the gentleman's unwillingness, his stubborn refusal, to adopt any other number than 357. Has that number any special charm? Is there any special reason for adopting it? Is there anything wreathed about 357 that commends it to his mind above every other number in the long list of tables? There can not be, unless it be that it is the present number of the House, and he would not deny this the other day when I put the question to him squarely.

I have stated that the gentleman does not follow his number consistently; and I am going to prove it. There are two systems, one of which must always obtain in this matter of apportionment. One of these is the system by which you adopt a fixed ratio—say 30,000 or 52,000 or 150,000, or whatever it may be; and the respective States receive their apportionment of members in accordance with the quotients arising from such divisor. That system obtained until 1830—until the Sixth Census. Then there was quite a dispute between the committee of the House on the one hand and the committee of the Senate on the other, Mr. Polk and Mr. Webster leading the respective sides. Mr. Polk contended that the old system should obtain, by which you would adopt a fixed ratio and allow the number of Representatives to be dependent upon the quotient which might arise in each case from the application of the divisor, disregarding or eliminating fractions.

Mr. Webster in his able report, a part of which I shall read in a moment, contended that the number of the House should first be fixed and then the apportionment by population be determined by that divisor. Under the Fifth Census the Polk system or process prevailed; but under the Sixth Census the Webster process was adopted, with a variation. That variation was that a State which had a majority fraction should be allowed representation upon that fraction. Ever since 1840 we have adopted in this country the Webster process, by which we first determine upon a fixed number of Representatives as the divisor. This system has been followed, with the variation whenever necessary. For instance, whenever there has been a majority fraction remaining, that majority fraction has always been treated as entitling the State to a Representative. My friend from Illinois in framing this bill has not followed the Polk process, because that disregards all fractions; and he does not follow the Webster process, because under that process majority fractions are always recognized. In this bill of the committee we have the first departure from the established system.

Now let me read what Mr. Webster says, and gentlemen will see that the bill of the gentleman from Illinois does not follow that system. This part of Mr. Webster's report which I shall read is in some unaccountable way left out of the citations which you will find in the report of the majority of the committee:

The rule has been frequently stated. It may be clearly expressed in either of two ways. Let the rule be that the whole number of the proposed House shall be apportioned among the several States on their respective numbers, giving to each State that number of members which comes nearest to her exact mathematical part or proportion.

That is the new method, the method which Mr. Webster recommended, with variations.

Now, here is the composite method to which I shall call the attention of the House in reference to some tables which I shall submit:

Or let the rule be that the population of each State shall be divided by a common divisor, and that in addition to the number of members resulting from the division a member shall be allowed to each State whose fraction exceeds a moiety of the division.

That is the rule which, if adopted, would give these three States an additional member. That is the rule which is invoked by the table of 384 presented by the Burleigh report. Mr. Webster goes on to say:

Either of these, it seems to the committee, is a just and fair rule capable of uniform application and operating with entire impartiality. There is no want of a common proportion or of a common divisor. There is nothing left to arbitrary discretion. If the rule in either of these forms be adopted, it will never be doubtful how every member of any proposed number for a House of Representatives ought to be assigned. Nothing will be left in the discretion of Congress. The right of each State will be a mathematical right easily ascertained, about which there can be neither doubt nor difficulty, and in the application of the rule there will be no room for preference, partiality, or injustice.

Now, let us follow Webster. That is all we ask—let us follow the rule laid down by Webster, and which has been followed ever since with the variations which that rule permits. My friend from Illinois—and I ask him to correct me if I am in error—when he adopts the number 357 deprives these three small States of representation, although they have majority fractions. He says that he does this because if we should allow them representation by majority fractions it will necessitate the adoption of a new table and the allowance of majority fractions for other States. But why follow that table at all? Why does he not follow Table 4? I call his attention to page 101 of the report. His ratio is 208,858—only 142 short of the round number 209,000.

Now this Table 4 has been printed for the information of every member of the House, yet the chairman of this committee has not referred to it once. He has disregarded entirely the old system, and while he follows parts of the new system he rejects others. He asks this House to follow him blindly. He ridicules the majorities of these three States by showing how possibly this rule might give Maine a little more than she is entitled to, because her majority fraction is small.

Suppose he had started out, not with 357 Representatives, but with 209,000 as the ratio, what would have been the result? Every one of these States that are included in his bill would have received the representation that they do receive by his bill, and in addition thereto Colorado, Florida, and North Dakota would have received one member each. It is an illustration of the difference between the old system and the new system. The one system works fairly, by which there is not a single majority fraction left over, as Webster said should be the case, while the other gives us only 357 members, and three majority fraction States are left out. The gentleman objects to a membership of 360. Why? Because if he does allow those three members to be added, that will break up the symmetry of his process. That is his reason.

He says you can not add anything to it because it would make 360 instead of 357, and then he says you will have to start all over again with 360 as the divisor and create an entirely new table. He is wedded to 357 and you can not get him away from it, whereas if he had taken the other set of tables, if he had taken Table 4, on page 101, by simply making the divisor 309,000 even instead of his number—208,858—every State in the Union with a majority fraction would have received representation. My friend can not answer that. The figures are there and the effect of that jugglery of figures is to deprive these three States of their proper representation. The gentleman's only justification of it is that that is the process he started on and he wants us to swallow his process.

Now, what about the bill of the gentleman from Maine [Mr. BURLEIGH]? It is constructed strictly in accordance with Table 4, with the exception that Iowa is not allowed one member that she is entitled to. The proper number is 387 and not 386. The original Burleigh bill was correct. In committee it was reduced to 386, and Iowa in consequence lost one member. Now, how was that reduction made? Simply because Webster's first process was followed by Mr. BURLEIGH instead of his second.

If my friend from Iowa [Mr. LACEY] will look at page 107 of the report he will see that by adopting 194,000 as a divisor, Iowa will have one more member, the number of members reported as shown in the bill originally introduced by the gentleman from Maine [Mr. BURLEIGH]. That is under the fair process by which every majority fraction in every State is allowed representation. The reason Iowa does not get that additional member is that the minority of the committee attempted to follow the first process, and as a result the majority fraction did not save Iowa. Three hundred and eighty-four was the number they started with. They added two for Virginia and Nebraska and left Iowa out. But if you start with a fixed number of population instead of a

fixed number of members as a divisor, it is impossible for a major fraction to be left out, and that is the system that ought to obtain in this Congress and in other Congresses hereafter in framing apportionment bills.

Page 107 of the report shows that with 194,000 Iowa gains one. Under the Burleigh bill Iowa does not gain one, simply for the reason that the new process is adhered to with variations by the gentleman from Maine [Mr. BURLEIGH]; whereas if the old process had been adhered to, with "majority fractions" variation, Iowa would have gotten her just deserts, or if she lost one member my friend could not complain. Simply by adopting that method Iowa would get her full quota as indicated in the original Burleigh bill.

Now, the difference between the Burleigh bill and the Hopkins bill in their operation is this: In the Hopkins bill no allowance is made for major fractions in three States, because, as the gentleman says, the residuum of 23 is exhausted before these three States are reached, there being 25 States with majority fractions. Under the Burleigh application of the same system every State with a major fraction is accorded representation by simply adding to the original number with which he started. Both those applications are wrong because the system is wrong, inasmuch as it necessarily involves the deprivation of some of the States of representation for major fractions. The proper system, indicated in Table 4, the adoption of which will secure almost the same ratio of population, does not deprive any State of representation for a majority fraction, and that is the same principle which Mr. Webster said ought to be adopted by Congress.

So it strikes me that the number 357, advocated by the gentleman from Illinois [Mr. HOPKINS], chairman of the Committee on the Census, should not be adopted by this House. It deprives three States of representation. By any other process in the world except by the Hopkins process they will not be deprived of this membership. The gentleman has adhered neither to the old system or the new. He has not adhered to any precedent or any apportionment that has ever been adopted in this country. The RECORD will sustain me in that statement, and the gentleman can not say to the contrary. Then why should we follow him blindly when his only reason is that it is the present number of this House, notwithstanding the fact that it admittedly deprives States of their just representation?

If the people of the United States are to be represented in this their Government, they can nowhere be so directly represented as in the House of Representatives. The burden of the National Government far exceeds that of the State. In one year there is paid into the National Treasury by the people of a State more than their own State, county, and city treasurers collect from them in twenty years. They have the right to keep close to Washington and to closely guard legislation there enacted and government there administered. The House has always kept pace with the growth of the country, in its membership, by every apportionment except one, that of 1842, in which it was reduced by Senate amendment.

Ten years ago it was fixed at 356, the population being 62,622,250. The country has grown to 74,565,906 of representative population, an increase of nearly 12,000,000. Then there were 356 Representatives to 88 Senators, about 4 to 1. According to Mr. HOPKINS's bill, with Arizona and Oklahoma yet to be admitted, the ratio will stand 360 to 94, or 16 short of 4 to 1. By his bill the States of Indiana, Kansas, Kentucky, Maine, Nebraska, Ohio, South Carolina, and Virginia each lose one of their present number, notwithstanding the increase of population in those 8 States during the past decade is over 1,500,000. That reverses the policy of Congress in the eleventh apportionment, when this was the plan adopted by the committee.

Trials were made until a number was found that would give a ratio which in application would secure each State against any loss in its membership and in no instance leave a majority. This number was found to be 356.

The present bill proposes to blindly adopt the conditions which existed ten years ago, notwithstanding the effect is to vitally injure eight sovereign States—a result which that Congress deliberately and specifically refused to accomplish.

The time has not yet come to call a halt in the size of the House. We do not need another Senate. If a member feels too much crowded and jostled here, he may ask his State to relieve him by sending him there. We are not in each other's way. Except on very rare occasions there are dozens of empty chairs. Debates are conducted by leaders and assistant leaders, and recognition is not such a matter of right as to occasion tumult in its being sought. Chairmen of committees, one after another, have charge of the proceedings, with space visible everywhere. Add 29 members to our number and there will be no appreciable addition to occupied chairs, and vacant ones will, except on few occasions and for brief periods, always be found waiting for and welcoming occupants.

It is needless to enlarge upon this universally admitted condition. But we are seriously told that the cost of Congress will to

that extent be increased. This session of Congress will, if the Senate confirms what you have passed, appropriate for 100,000 soldiers. Thirty additional members of the House will be of less cost and expense than 150 of these soldiers! The constitutional monarchies of Europe accord to their people a fuller representation in their legislative assemblies than does Congress to the citizens of this Republic, whose distinctive characteristic and proud privilege is that they are the source of all power, all legislation, and all government.

England's House of Commons consists of 670 members, although her population is only 37,888,439. Germany, with 52,279,901 people, has a Reichstag of 397. The Italian Chamber of Deputies is composed of 508, for a population of 29,699,785. The Spanish Cortes has 431, while Spain's population is 17,550,216. The Republic of France is far more generous to its people than the United States is to its citizens, its population of 38,517,975 being represented by 584 deputies, or 1 to every 65,955 of the population; whereas even with 386 members of Congress, each member with us will represent 194,182 people.

The sovereign voters of the United States should be as directly represented as possible in their government of themselves. The larger the territory and the greater the population of a district, the farther is each person in it from personal representation. Their interests are each year becoming larger and more varied, as evidenced by the vast appropriation bills and the items composing them, and the ever-increasing mass of the subjects of legislation and bills introduced. The work of their Representatives is not confined to these walls, but ramifies all of the departments, and all during the year, even when Congress is not in session, as most of us can certify.

Now, gentlemen, I want to talk to this side of the House about another matter. It has been industriously worked upon you that the effect of the adoption of the Hopkins bill will be to save the political integrity of both parties as it now exists, and my friend, the gentleman from Illinois [Mr. HOPKINS], and others have tried to instill into the minds of members on this side of the House, with tears in their voices, the fact that if we should adopt the Burleigh bill here the inevitable result would be to give a Republican gain of 10 members. Now, gentlemen, just think about it for two seconds and a half. The argument that the gentleman brings to bear upon you is that if you do not save the Democratic party from the Burleigh bill the Republicans will gain 10 members of this House. He did it seriously and half expected you to keep your faces straight in listening to his argument. Just think of it, and the results of it—

Mr. KLUTTZ. Has not the same argument been used on the other side to whip them into line for the Burleigh bill?

Mr. WILSON of South Carolina. That is a correct argument, as I am going to show you.

Mr. KLUTTZ. They will gain 10.

Mr. WILSON of South Carolina. Not by the Burleigh bill. I do not think that political considerations should control in this matter, but if there is any salvation that is ever going to come to the Democratic party it must come through the Burleigh bill and not through the Hopkins bill. Why, under the Hopkins bill two of our doubtful States are at the outset openly and unblushingly deprived of 1 member, when each is entitled to 1. Under the Burleigh bill here is our standing. The Republicans gain 21 and lose 1. Their net gain is 20. The Democrats gain 10 and lose none, a net Republican gain of 10. Now, what do they include in there? They include New York, New Jersey, Connecticut, West Virginia, and Indiana. There is not an intelligent Democrat in the United States under the light of existing conditions that does not know that the only chance the Democracy has to win in this country is by carrying those States, and unless we do carry those States, or most of them, we can do nothing.

Mr. KLUTTZ. Will the gentleman permit me to interrupt him again?

Mr. WILSON of South Carolina. Certainly.

Mr. KLUTTZ. I ask the gentleman if, under the Hopkins bill, the political situation does not remain as it is? Is not that the fact?

Mr. WILSON of South Carolina. I say if the Republicans carry those States the Republicans will have a majority of 10; and if the Democrats carry those States the Democrats will have a majority of 8—a gain of 8.

Mr. KLUTTZ. Which is the more likely to carry them?

Mr. WILSON of South Carolina. So I say, accepting the surrounding conditions in these States, shall we risk nothing with reference to them? Till we do carry them, or most of them, there will not be a President inaugurated by the Democratic party.

Mr. LACEY. I would like to ask the gentleman a question.

The SPEAKER pro tempore. Does the gentleman yield.

Mr. WILSON of South Carolina. Certainly.

Mr. LACEY. I understand you to assume that if the Democrats carry those States certain results will follow?

Mr. WILSON of South Carolina. Certainly.

Mr. LACEY. How do you get at that result? Do you assume that all the States south of Mason and Dixon's line will continue to be Democratic?

Mr. WILSON of South Carolina. I am not considering any of the other States one way or the other. I am simply discussing those States. If these States go Republican, then it will be 10 more for their majority, and if the Democrats gain those States they will gain 8 more for the aggregate of their majority. Do you not see the situation? Why should they bring this political argument to bear in this House to scare us away from our duty when we know that the only salvation of the Democratic party is in those very States, and we are therefore perfectly willing to make those States' representation as large as possible.

Mr. RICHARDSON of Alabama. I wish to ask the gentleman if he would discuss this feature of the bill relating to the districts, and the use of the word "compact?"

Mr. WILSON of South Carolina. I will come to that after a while.

Mr. RICHARDSON of Alabama. I see in the Hopkins bill there is an amendment.

Mr. WILSON of South Carolina. You mean by the addition of the word "compact?"

Mr. RICHARDSON of Alabama. The word heretofore used has been "contiguous." It has been changed by the addition of the word "compact;" and I should like to hear what the gentleman has to say in discussing that.

Mr. WILSON of South Carolina. I will discuss that matter later on.

Mr. RICHARDSON of Alabama. The Hopkins bill and the Burleigh bill both contain that, and the Crumpacker bill is the only one that leaves the word "compact" out. I would like to hear the gentleman discuss the use of the word "compact" in these two bills.

Mr. WILSON of South Carolina. I will discuss it, but I only have an hour, and there are other matters that I must first direct my attention to.

Mr. RICHARDSON of Tennessee. If the gentleman from South Carolina will permit me, and I know he is much more familiar with the bill than I am, I understood him to say that there are 8 States in the Hopkins bill that will lose 1 member each if it is adopted. Now, is it not feasible and practicable to pass this bill fixing the number at 357 and insert a proviso that these 8 States which would lose shall have their members, so as to make the House 365 members? Is not that practical and constitutional?

Mr. WILSON of South Carolina. It is practical and constitutional, that everybody knows; but—

Mr. RICHARDSON of Tennessee. Why not make it that way?

Mr. WILSON of South Carolina. It was done in 1872, under the Webster process "with variation," but while Mr. HOPKINS adopts the Webster process he refuses to adopt it "with variation."

Mr. RICHARDSON of Tennessee. That would satisfy the gentleman, would it not?

Mr. WILSON of South Carolina. So far as the result is concerned; but I do not think the principle would be right. I think the correct principle is by Table No. 4, which is what was done from the beginning of the Government to 1842. Adopt a fixed number of population, and let the number of Representatives be determined in the quotient, allowing an additional member for each major fraction in a remainder. That is the only sensible and rational way, I think, of determining the matter. It is the old (or Polk) process adapted to the Webster suggestion that recognition be given to major fractions in remainders.

Mr. HEPBURN. I would like to interrupt the gentleman with a question, if he pleases.

Mr. WILSON of South Carolina. With pleasure.

Mr. HEPBURN. I understand the gentleman to make an argument in favor of the Burleigh bill, because it gives to States that were carried by the Republican party in the last election an advantage of 7. Now I suggest to him that if his argument is good, and if he is going to be generous to us, he ought to go further and adopt 398 as the number, because under that apportionment the Republicans—that is, the States that went Republican in the last election—would gain 28, while the States that went Democratic would gain 13, giving us a clear advantage of 15. Now, if he is going to be generous, why not go on up to that number and give us what we think we ought to have?

Mr. WILSON of South Carolina. The gentleman is in error in stating that my argument on the political line was in the interest of the Democratic party. It was in reply to an argument assiduously propagated on this side of the House by leaders of your side of the House who were afraid that we were going to give the Republican party too much. I say we do not adopt 398 because it is not necessary in order to save every State to go beyond 386. That is the reason we adopted 386 as the least number possible.

Now, if you follow the course pursued in this country up to

1842 you will do it. If you adopt the course that has been pursued by this country since 1842 you will do it. The only exception, the only milestone of the century by which unfairness will be dealt to any State in the Union by an apportionment bill, will be by the adoption of the Hopkins bill.

Never before in the history of this country since fractions were recognized has a single State been deprived of a majority fraction, and even in the last apportionment the change of one vote in the Senate would have increased the membership from 356 to 359. If there had been one Senator of a different mind over there the present representation in this Congress would be 359 plus Utah, which would make 360; and my friend from Illinois would be here to-day advocating 360.

Mr. JONES of Virginia. Let me suggest to the gentleman that Mr. Webster says in his report that it would be unconstitutional to deny a State a representative from a majority fraction.

Mr. WILSON of South Carolina. Yes; I have read that. If members will stop to think for two and a half minutes and look over table 4, they will see the outrage that is sought to be perpetrated by this Hopkins bill.

Mr. SMITH of Kentucky. Will the gentleman allow me a question?

Mr. WILSON of South Carolina. Certainly.

Mr. SMITH of Kentucky. Do I understand that you are advocating the proposition involved in the minority report?

Mr. WILSON of South Carolina. Yes.

Mr. SMITH of Kentucky. If I understand that proposition, it proceeds on the same basis as the majority report proceeds upon.

Mr. WILSON of South Carolina. Except that the majority fractions are allowed, while the Hopkins bill does not allow all majority fractions.

Mr. SMITH of Kentucky. It seems to me the majority and minority have started out by taking a number arbitrarily, instead of fixing the population that one man can fairly represent in the House.

Mr. WILSON of South Carolina. That is the argument I made at the outset. The old method, with the "majority fraction variation," is the correct method, and it will be secured if we will take 387, because if you will look at page 107 of this pamphlet you will find that the number I mention, 194,000, will give the precise figures in the Burleigh bill as originally introduced. The difference between the Burleigh bill as introduced and reported is that Iowa is not allowed 1 additional Representative. That makes the difference between 387 and 386, and that difference was caused by adopting the new method instead of the old, which should have been adopted with the Webster majority fraction variation, suggested by Mr. Webster in his report of 1832.

Mr. LACEY. Why did they adopt the new method?

Mr. WILSON of South Carolina. Well, the gentleman from Maine [Mr. BURLEIGH] can state that; because he wanted to proceed with his bill on the same principle as adopted in the Hopkins bill.

Mr. LACEY. Was not it because the Iowa delegation was against the increase of the membership of the House? [Laughter.]

Mr. WILSON of South Carolina. No; we ought to have found out first how the Iowa delegation stood, but we neglected to do so. [Laughter.] Now, Mr. Speaker, that is all I wish to say upon that subject.

THE NEGRO AND HIS VOTE.

I want now to talk to the gentleman from Indiana [Mr. CRUMPACKER] a while. I can not make an argument in full, as I intended, for I have not the time, and I shall thereby be prevented from elaborating the subject as I should wish; but I shall cite him to decisions of the Supreme Court of this country by which he will understand that his ridiculous bill can not for a moment be sustained by that tribunal.

His bill accords to every State its full number of Representatives except South Carolina, North Carolina, Mississippi, and Louisiana, and from each of these four Southern States he takes three Representatives, his reason for such arbitrary proceeding being that each of these States has denied the right of suffrage to at least 40 per cent of its inhabitants, and consequently its representation must, under the second clause of the fourteenth amendment to the Constitution, be reduced to that extent.

That clause provides that when the right to vote at any election for Representatives in Congress, etc., is denied to any male inhabitants of a State 21 years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of Congressional representation therein shall be reduced in proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

The right to vote does not come from the United States, but from the State. The United States Constitution nowhere confers that right. That is explicitly decided in *Minor vs. Happersett* (21 Wall., 166) and *United States vs. Reese* (93 U. S., 215).

The fifteenth amendment, which declares that the right of citi-

zens of the United States to vote shall not be denied or abridged by the United States or any State on account of race, color, or previous condition of servitude, does not confer the right to vote. Its only meaning, purpose, and effect was this: Before its adoption preference in suffrage could be given by a State to one race over another; a State could have entirely disfranchised the negro. But now, since its adoption, if citizens of one race having certain qualifications are permitted to vote, those of another having the same qualifications must be. The right to vote, therefore, comes from the State, but the fifteenth amendment forbids any discrimination on account of race. So says *United States vs. Cruikshank* (92 U. S., 544).

The fourteenth amendment did not change the relations of the State and Federal governments, as held in *re Kemmler* (136 U. S., 436). It did not attempt to confer the right of suffrage upon the negro, but citizenship only, which does not include the right to vote. A woman is a United States citizen, but can not vote. That amendment simply tried to force the States to accord suffrage to the negro by imposing the penalty of loss of representation in Congress, which I have already stated as the second clause. But unfortunately for the bill of the gentleman from Indiana, Congress did not rest content with the fourteenth amendment, but followed it up with the fifteenth, which declared it to be out of the power of a State to disfranchise the negro as such—the very thing which the fourteenth amendment declares shall cut down the State's representation.

The only thing, therefore, which can reduce a State's number of Representatives is declared by the fifteenth to be an impossible thing; and the gentleman is left high and dry by the last amendment of the Constitution. One of the ablest Republicans this country has produced, Mr. Blaine, concedes this when he writes:

When the fifteenth amendment declared that the State shall not exclude the negro from the right of suffrage, it neutralized and surrendered the contingent right before held to exclude him from the basis of apportionment. Congress is thus plainly deprived by the fifteenth amendment of certain powers over representation in the South which it previously possessed under the provisions of the fourteenth amendment.

No one has ever denied that the fourteenth amendment was aimed exclusively at the South, and, that no one may ever ignorantly do so upon this floor, I shall state a few features of the legislation which led to it.

On January 22, 1866, the reconstruction committee of the House reported this amendment to the Constitution:

Representations and direct taxes shall be apportioned among the several States which may be included within this Union according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed: *Provided*, That whenever the elective franchise shall be denied or abridged in any State on account of race or color, all persons of such race or color shall be excluded from the basis of representation.

Mr. Blaine contended that if any class was excluded from representation it should also be excluded from taxation.

Sloan, of Washington, spoke for a basis of voters.

John Baker drew attention to the fact that the proposed amendment leaves any State the right to narrow the suffrage as she pleases, so long as she steers clear of the test of race or color.

Ingersoll offered an amendment prohibiting any State from prescribing a property qualification.

Jenckes opposed that amendment as needlessly abridging the power of States.

Schenck's amendment based apportionment upon the number of male citizens who are voters. It received but 29 votes. The resolution was recommitted, and the committee reported a changed proviso:

Provided, That whenever the elective franchise shall be denied or abridged in any State on account of race or color, the persons therein of such race or color shall be excluded from the basis of representation.

It carried by 120 to 46.

It was killed in the Senate.

While in that body Senator Henderson offered this amendment:

No State in prescribing the qualifications requisite for electors therein shall discriminate against any person on account of color or race.

It received but 10 votes.

In April, 1866, the House passed and June 13 the Senate approved (with an amendment in which the House concurred) the resolution. Senator Doolittle offered an amendment making "voters" the basis of representation. It received but 7 votes.

The distinguished gentleman will observe that thirty-four years ago the effort now made by him was essayed by Representative Schenck and by Senator Doolittle with as little success as will attend his bill. There is but one way to accomplish his desire to make registration of voters the basis of representation, and that is by the adoption of a sixteenth amendment to the Constitution. But that would be disastrous to Massachusetts, one-fourth of whose population can not vote because of her educational qualifications; Connecticut, California, Delaware, Maine, New York, and other States, whose laws practically disfranchise the illiterate. All States would be measured by the same standard, and the four Southern States would not stand alone as subjects of his political pruning knife.

His bill is the Rip Van Winkle of the reconstruction era. It is a misfit with this generation and these piping times of alleged good will and fraternity between the sections. Such action is out of accord with the sounds of jubilation over a reunited country which constantly regale our ears. Our people would much prefer less protestations of kindness if accompanied with less unfriendly attacks upon their peace, safety, and prosperity.

We have no apology to make for ridding ourselves of a voting population which was never legally invested with the right to vote. In clothing the negro with suffrage the Federal bayonet took the place of the Constitution. The history of reconstruction speaks for itself and removes the subject from dispute. Neither Lincoln nor Johnson intended to inflict upon the South unrestricted negro suffrage.

President Lincoln wrote to Governor Hahn, of Louisiana, March 15, 1863:

Now, you are about to have a convention which, among other things, will probably define the elective franchise. I barely suggest for your private consideration whether some of the colored people may not be let in, as, for instance, the very intelligent, and especially those who fought gallantly in our ranks.

In reconstructing the eleven State governments in 1865 President Johnson sent a circular letter to the provisional governors suggesting that the elective franchise be extended to all colored men "who can read the Constitution of the United States and write their names, and also to those who own and pay taxes on real estate valued at not less than \$250."

The very able and radical Senator Fessenden said in the debate on the Freedmen's Bureau bill:

I take it that no one contends—I think that the honorable Senator from Massachusetts himself [Mr. Sumner], who is the greatest champion of universal suffrage, would hardly contend—that now, at this time, the whole of the population of the recent slave States is fit to be admitted to the exercise of the right of suffrage. I presume no man who looks at the question dispassionately and calmly could contend that the great mass of those who were recently slaves (undoubtedly there may be exceptions), and who have been kept in ignorance all their lives, oppressed or more or less forbidden to acquire information, are fitted at this stage to exercise the right of suffrage, or could be trusted to do it unless under such good advice as those better informed might be prepared to give them.

Nevertheless, the passions of the year succeeding the war forced upon us by Congress that condition which Fessenden said no one would even contend for. The reconstruction constitutions were adopted under the military governors by negroes and aliens; not by the citizens of the States. The States had not made voters of the recently emancipated slaves, nor had the United States made citizens of them, as the fourteenth amendment had not then been adopted.

Our negro and carpetbag constitutions were erected under the initiative of the reconstruction act of 1867, which imposed military governments upon the Southern States, which were to supplant civil government unless and until they should adopt a constitution and the fourteenth amendment, also guarantee universal suffrage, the convention therefor to be elected by all men over 21—whether citizens or not—except the white citizens of the State, the election to be supervised by military officers and the registration to be conducted under military officers; the constitution so made to be submitted to the same illegal and farcical voters for ratification, then reported to Congress for approval; and then and not till then were the States to have Representatives in Congress. In passing, I may add, that same revolutionary Thirty-ninth Congress passed the revolutionary tenure of office act, upsetting the established practice since the foundation of the Government. It defied all restraints.

When the 10 States came with their new constitutions so unconstitutionally forced upon them this condition was imposed and nominally attached to their admission:

That the constitution of the State shall never be so amended or changed as to deprive any citizen or class of citizens of the United States of the right to vote who are entitled to vote by the constitution herein recognized, except as a punishment for such crimes as are now felonies at common law, whereof they shall have been duly convicted under laws equally applicable to all the inhabitants of said State.

That act was as sounding brass. *Texas vs. White* (7 Wallace) decides that the Confederate States were never out of the Union. So they could not be "conditionally readmitted."

Blaine says in that connection:

The Republican platform (1868) asserted that the guaranty of suffrage to the loyal men of the South must be maintained, but that the question of suffrage in the loyal States belonged to the States themselves. It was an evasion; a mere stroke of expediency to escape the prejudices which negro suffrage would encounter in a majority of the loyal States. It was a deception, because every intelligent man knew that it would be impossible to force negro suffrage on the Southern States by national authority and leave the Northern States free to exclude it from their own domain.

And that—

The Republican majority in Congress were so well satisfied that the war had not carried the 11 States out of the Union, that they insisted that the fourteenth amendment should be ratified by three-fourths of all the States.

Later on, while the civil rights bill was passing, on motion of Wilson of Iowa, this amendment was unanimously adopted:

Nothing in this act shall be so construed as to affect the laws of any State concerning the right of suffrage (p. 175).

Moreover, the same Congress which imposed negro suffrage as a condition for the alleged "readmission" of the Southern States, admitted Colorado and Nebraska, notwithstanding their constitutions prohibited negro suffrage.

While those frantic, and unfortunately successful, efforts were being made by Congress to fasten negro domination upon the South, States of the North serenely excluded the negro from suffrage: Connecticut in 1865, by 6,000 majority; Kansas in 1867, by 9,000; Minnesota, by 1,000; Ohio, by 50,000; New York, by 40,000. Nevada, Colorado, Nebraska, and Wisconsin swell the list.

The only criticism that can justly be made of us is that we so long endured the outrage perpetrated upon us and delayed resuming control of our governments by the intelligence and white manhood of the States, so forcibly and unconstitutionally wrested from them. So much, Mr. Speaker, for the charge of disfranchisement. I will simply say in addition, without going into details, that any man of ordinary intelligence in the South can qualify himself to vote, just as he can in Massachusetts or California.

The gentleman from Indiana seems very solicitous about the welfare of the negro in the South. I want to tell him and other members from the West that in New England and the Northern States, whose people have been brought into contact with the South by business intercourse and otherwise, there is an entirely different impression concerning the condition of the negro from that which prevails in some of the Western States. Out West people have the impression that the negro is oppressed, robbed, outrageously and brutally treated. The trouble is they do not know. They simply stay at home and do not enjoy proper facilities of business and other acquaintance with the South.

If they should once develop business relations with us; if they would send some of their men there and see what the existing conditions are; if they would see the amicable relations existing between the two races; if they would see how the South is prospering and taking the negro along up with it, they would have their eyes opened—the scales removed. There you have the great pension vote, and that vote is always cast against the South. Those voters still have the idea that they are emancipating the negro. It is, I imagine, a favorite pastime with you on the stump out West to abuse the South for her supposed treatment of the negro. Well, it does not hurt us. We are paying no attention to it; we are going ahead vigorously; we are devoting our time and attention to the development of our country, and astonishing the world by our tremendous advance in wealth and prosperity. You people out West who wish to abuse the South for political purposes may continue to do so to your hearts' content and make as many votes as you may by that proceeding. We shall not prevent it; we are too busy and life is too short.

A consideration more important than the control and elimination of the negro vote is, that the Southern people should enjoy security and peace and prosperity in their homes. We would not allow the suffrage question or anything else to stand in the way of the safety of our people and honest government. For eight long years we had a trial of negro domination under carpetbag leadership, and I want to give you some statistics of that reign of venality.

In South Carolina prior to 1868 the average tax collections amounted to \$400,000 per annum. During those years of negro government the average was \$1,270,000. There were fraudulently issued (and the proceeds converted to the personal use of those who had political control) bonds to the extent of \$9,000,000. The State was robbed of that much money. The annual revenues were consumed in the bribery of members and senators, purchases for their use of furniture, supplies, and wine—keeping an open restaurant in the capital day and night, and larceny by public officers. A public printing company was organized, composed of the clerk of the senate, the clerk of the house, and the comptroller-general. There was paid to this company for public printing during one year \$450,000. Before that period the average was \$21,000. The governor received \$20,000 for his signature to one of the appropriation bills. The general assembly had 349 clerks, 124 pages, and 144 messengers. In one session there were issued in pay certificates \$1,168,255.

These figures will give you an idea of what negro government (which you are contending for here) did for our State. One of the senators—Senator Leslie—said, "A State has no right to be a State unless she can pay and take care of her statesmen." That was the theory on which they acted. One of the United States Senators said that "there was in South Carolina five more years of good stealing." Out of 17 negro senators 14 were proven corrupt by an investigating commission.

Now, I want to tell you how the negro is treated in the North. Let me say to my friend from Indiana that one of the leading negroes of the South—Booker Washington—knows more about the negro than he does. What does Booker Washington say? I read from his remarks before the industrial convention:

It is in the South that the black man finds an open sesame in labor, industry, and business that is not surpassed anywhere. It is here that that form

of slavery which prevents a man from selling his labor to whom he pleases, on account of his color, is almost unknown—that compels him to live in idleness while his family starves.

The South gives him something more merciful than sentiment—the opportunity to earn his bread. He can spend his dollar with fairest opportunity in the opera at the North; he can earn it with fairest opportunity at the South. He is excluded by the labor unions of the North.

That is what Booker Washington thinks about the negro in the South and in the North. Now, let me give you some facts in regard to our treatment of the negro in the South. The South evolved him from barbarism. It required slavery to do it. The North, aided by Europe, emancipated him; and now the South is bringing him up along with it. As the South grows industriously—as it grows in wealth and education—the negro is being carried along. He is not allowed to control the government, because he has been shown to be utterly unfit for it. He is protected in all his dearest rights except the right of voting, and he does not care to vote.

Why, sir, to-day every negro in South Carolina who can read and write may, if he chooses, go to one of the registration offices of the State and become a registered voter. Fifty thousand of them can do so if they wish. But you can not get them to do it. Why? Because they would rather save the dollar which would be required as poll tax. They know that they can not carry the elections. They know that nothing can be gained by their votes, except to fatten their leaders with Federal patronage. Nearly all of them belong to the "Emancipation party," and always will, I suppose. They know that the intelligence of the State is going to control. They know that if they vote the white people are going to stand together solidly, and I tell gentlemen on the other side that if there is anything in the world that is going to break up the solidity of the South it is what you term "depriving the negro of the right of suffrage."

For that reason I want a reasonable number of the negroes, short of a majority, to register. It is the best thing for South Carolina; it will be the best thing for the other Southern States, because there are, as all the newspapers show, signs of disintegration among the Democracy of the South. Various planks in the platform of the Republican party and other considerations are enticing Democrats away from the faith of generations, away from the political faith of their fathers. But they are not going to leave the Democratic party. Why? Because they recognize the force of the color menace. They know the salvation of their homes, the prosperity of their State, depends upon white domination, and they will surrender their national politics in order to secure white home government. My friend can not do the Democracy of the South a better service than he is doing to-day. I hope he will keep it up for at least ten years, to save us at least that long. [Laughter.]

The gentleman talks about education in the South. We are educating the negro. In South Carolina each year there is raised and applied for education, from various sources, an amount equal to 5 mills upon the assessed value of the property of the State; and there are more negroes than whites enrolled in the schools. During the past thirty years, according to Dr. Harris, Commissioner of Education, the South has spent more than \$100,000,000 for the education of the negro, and he has not contributed 5 per cent of the amount.

Nowhere on earth is he so well or fairly treated as in the South, and I cheerfully do him the justice of saying that I do not believe that on the face of the earth can be found more faithful or satisfactory servants, domestics, and farm laborers, specially adapted as they are to certain sections of the South. He is all right in his place, and will continue to prosper and be contented with it. With us he gets work, protection, and justice; with you he gets nothing except his right to vote the "manicipation ticket," with never a piece of an office thrown in—your only use for him is his ballot.

Now, the plain answer to all these arguments is the way the South is growing. The South could not be making such tremendous progress and development as she is if the condition of disorder existed there as my friend would have this House believe. Our factories are rapidly growing, and not wholly by Northern capital. The gentleman from Massachusetts [Mr. LOVERING] can tell you that. Of all the capital that is invested in the mills in my State, not 14 per cent of it is from the North. It is Southern capital, and evidences the progress and development of that country. I mention that particular industry because you are more familiar with its reputation than any other. We not only make the cotton, but we manufacture it and we export the manufactures. The South to-day exports over one-third of the total exports of this country, nearly \$400,000,000 annually. We have got something else to do down there besides hunting negroes, much as the statement may surprise the gentleman.

Now, I will refer to some mistakes that the gentleman made about South Carolina. I am not going to enter into any extended argument. I deny the right of any member to bring my State upon this floor for trial—not that I am afraid to meet it, but it

is beneath her dignity, and there should be no necessity for it. But I will answer some things that he refers to. He says:

Other States than those mentioned have restrictive qualifications upon manhood suffrage, but they are of such a character and apply to such conditions that it can not be said that in any particular State they directly and necessarily disfranchise a sufficient number of citizens to materially affect the basis of representation.

Now, in Massachusetts in 1890, according to the census, there were 263,433 illiterate persons, who must be excluded from representation, according to my friend's position. In Connecticut there were 49,698. So the South is not the only country where that condition exists to an extent "to materially affect the basis of representation."

Now, here is what he says about lynchings in the South:

The perpetrators of these crimes against civilization do not make the poor excuse that the penal machinery is inadequate, and the most appalling aspect of the situation is that in some of the most atrocious instances of mob execution the work is done in broad daylight, and no effort is made on the part of the perpetrators to conceal their identity. No prosecution ever follows.

He ought not to have brought Indiana into the question in this indirect way in the light of what has recently occurred at Rockport, where two negroes charged with murder were hunted down with bloodhounds and brutally lynched, and the third pursued to a neighboring town the day following and murdered in cold blood. How can he with any regard for the fair name of his State have the audacity to introduce such a subject upon this floor?

Mr. KLUTTZ. Three negroes lynched in two days!

Mr. CRUMPACKER. Does the gentleman believe that one-half of the Gulf of Mexico could be polluted and the other half remain pure?

Mr. WILLIAMS of Mississippi. That is just what we are talking about; we claim your half is just as rotten as ours.

Mr. WILSON of South Carolina. That is simply a side remark which the gentleman from Indiana has made. We say that there are more convictions of negroes in proportion to the number in the North than there are in the South, that in proportion to the respective populations there are more negroes to-day in the penitentiary in the North than there are in the penitentiary in the South. There the negro gets protection. Do not be afraid about that. We do not protect him in one crime; we never will. As long as he commits it he will be promptly lynched, certain, sure, just as he will be in any other section of the country. But when he commits other crimes he gets his trial by jury.

And, as if he were determined to show how utterly and monumentally ignorant he is concerning our conditions, he says:

With their natural manufacturing resources and cheap, tractable labor, the field is peculiarly inviting to capital. The employer is free from the annoyances that labor organizations sometimes give in other sections, and with simplified machinery and the coercive force of penal laws, the negro becomes as efficient a factory hand in many lines as the white man. Capital will continue to be attracted by such favorable conditions, and the products of cheap, servile toil will continue to be sold in competition with the products of intelligent, independent labor in other sections of the country.

Now, Mr. Speaker, as matters of fact, in all the Southland there are but two small cotton factories run with negro labor, and in my humble judgment and with my fervent hope both of them will soon cease the experiment. In none of them is there now or ever will be the joint service of both races. The white race would not permit it there any more than in the North. The negro can never become a competitor with our white people in the mills, for the simple reason that by nature he can at best make but a very inefficient operative, while, as I clearly established on this floor two years ago, there is no mill help in the world that can compare in character, intelligence, blood, and efficiency with that of the South, composed as it is of our own people, heirs of two centuries of Southern spirit, independence, intelligence, and love of country.

Nor is he any nearer the fact when he states that labor organizations are unknown to the operatives in the South, though he is undoubtedly correct in the collateral statement that negro labor is wholly unorganized. In no possible contingency will he ever be admitted into Southern labor organizations—the color line, to a dead certainty, will always be drawn in them. As yet the mill operatives have not, to any great extent, formed themselves into unions or organizations, but, of course, it is but a question of a few years at most when they will find it convenient and to their interests to do so—it has already begun—not because of any antagonism to capital or the mill managers and owners, for they now cooperate amicably, but for the same reason that has caused labor the civilized world over to organize—its own benefit and protection. No reasonable man will object to it, and no amount of unreasonable objection can avail against it. [Applause on the Democratic side.]

[Here the hammer fell.]

Mr. HOPKINS. I yield thirty minutes to the gentleman from Iowa [Mr. HEPBURN].

Mr. HEPBURN. Mr. Speaker, there are some very amusing features that have been presented by this debate. The gentleman from Illinois [Mr. HOPKINS], in support of the committee bill, took up the bill of the minority and showed very conclusively that it was framed upon entirely illogical, unfair, and uncertain

mathematical computations, and then he blandly admitted that his bill was based upon precisely the same mathematical calculations. The gentleman from Maine [Mr. LITTLEFIELD], in support of the minority bill, took up that of the majority and satisfied everyone that an illogical, unfair, and unsafe basis had been adopted for the construction of that bill, and then admitted that the bill which he advocated was based upon precisely the same principles, excepting that he arbitrarily injected into the bill which he supported Representatives from three other States that were not warranted in any sense by the mathematical computation.

A great deal of time has been spent in trying to show the justice of the various bills. And yet every gentleman who stops to think about it knows that it is absolutely impossible for any man to have a scheme that will be absolutely just to the people of all the States. In the very nature of things it can not be done, and therefore it appears to me useless to waste time in these various comparisons. Take, for instance, the bill that has been lauded here by the minority of the committee as containing peculiarly the features of essential justice. Yet that very bill, notwithstanding their declarations that all major fractions are represented, leaves the State of Iowa with a majority fraction of 106,000 without the increase that should be given to a majority fraction.

How do you account for that, gentlemen? You get right up to the next number to that which would give Iowa this additional representation, and there you stop, yet you claim great virtue for yourselves because of the exact justice that is manifested by your bill. The truth is, gentlemen, you can not any of you be just. You can not divide by any divisor so as to give to every man exact representation in this House, and therefore we might as well discard that. Why should you insist about majority fractions? Suppose that the divisor is 200,000, and here is a major fraction of 100,001, which has representation. Here is another fraction, that is not a majority fraction, of 100,000. You deny representation to that, and yet it may be a babe 6 months old that constitutes the major fraction. You might suggest that you are giving representation in this House to that baby.

Mr. Speaker, I think that the whole question involved here is one of expediency. What is the better size? What number of Representatives can best perform the duties that devolve upon them in a deliberative body? Not this body, for I am willing to confess here that it presents none of the features of a deliberative body [laughter], but that deliberative body that we ought to have. The fathers gave us their opinion with regard to this matter. When they provided for 26 Senators they provided for 65 Representatives. That was their idea. They thought that the political power of a member of the Senate should be two and a half times greater than the political power of a Representative.

Mr. WILSON of South Carolina. I would ask the gentleman what was the proportion in the last census?

Mr. HEPBURN. If the gentleman will possess his soul in patience he will find that I am talking about what the fathers did, and the fathers did nothing with regard to the Eleventh Census, so far as I am advised. [Laughter.]

That was their idea. How is it in the different States? In the State where I live there are 50 senators and 100 representatives. In the State of Illinois, I believe, there are three representatives to one senator.

Mr. GROSVENOR. Fewer than that in Ohio.

Mr. HEPBURN. I think that in the majority of the States the proportion is less than three to one. There is a consensus of opinion, at least in some degree, that might enlighten us.

But, Mr. Speaker, I believe it is the duty of Representatives here to preserve the political power with which they are invested as compared with Senators. Senators have on a number of occasions increased the number of Representatives, or it has been done in the Senate. You have noticed, undoubtedly, that we have been favored with the presence of Senators during the discussion of this bill as we are not on other occasions favored. A great interest, newspapers inform us, is being taken by those of a certain character, attempting to influence this House in the direction of an enlargement of its membership. Why? Because the larger this House becomes the greater proportionate power does the Senator retain as compared with the Representative. It is too much now, and yet the House is all the time consenting to augment it.

Why should we, where it is unnecessary, constantly insist that the appointing power should be limited to control by the Senate? Why should all the inferior Federal officers hold their induction into office because of the advice and consent of the Senate? We are constantly augmenting the power of Senators, while they are constantly curtailing ours. It is unwise. I think there is something in this for consideration. Gentlemen tell us now, who are advocates for enlarging this House, on other occasions that the fact of an enlarged House justifies a system of government in the House that is destructive to the individuality of members, and absolutely destructive of the representative power that the Constitution gives us and that our people fondly think we enjoy.

When you attack the system of rules that we have, that is

vicious in every degree, that is harmful to the individual character of the member, that is harmful to the deliberative character of this body, that absolutely destroys it, and puts it beyond the power of any individual to participate in legislation or to bring to the consideration of this House any measure, no matter how important it may be to him or to his people, without he gets the consent of another person, another Representative—when you attack that vicious system, you are told that it is because the House is a mob, because it has been so enlarged that individual responsibility does not weigh upon the members; because there is no possibility in the confusion of the vast number to secure that deliberation that is necessary to the proper discharge of public business. On those occasions the House is too large. I believe it is wiser, I believe it would be better for the people, and it would be better for the individual membership, to decrease rather than increase the number of Representatives.

Mr. JONES of Virginia. Will the gentleman permit a question?

Mr. HEPBURN. Certainly.

Mr. JONES of Virginia. I would like to ask the gentleman from Iowa if he would vote for an amendment to the Hopkins bill fixing the number at 350 instead of 337, and thereby reduce the representation of Iowa from 11 to 10?

Mr. HEPBURN. No, sir; I would not do that. But I will say this, if the committee in its wisdom, after an examination of the whole subject, had introduced a bill of that character, I would have supported it. [Applause.]

Now, Mr. Speaker, I do not believe that any corresponding good will come to us by this enlargement. Let me remind the gentleman from Virginia that the time once was when the State of Virginia had 24 Representatives in this House. In my judgment—

Mr. JONES of Virginia. I would like to ask the gentleman what census that was.

Mr. HEPBURN. I have forgotten; the number was between 22 and 24.

Mr. JONES of Virginia. Twenty-three was the highest number of Representatives that Virginia ever had.

Mr. HEPBURN. I came within one of it. [Laughter.] I take it that every argument that could be made to-day for increasing the Representatives of this House so that Virginia shall continue the Representatives that she now has could have been made at the time when she had 23. Suppose that that argument had been effective, and suppose at each recurring period when it was made it had influence, what would have been the number now? More than 800 members would have seats upon this floor. There was a time when the State of Maine had 8 members.

When it was proposed to diminish that number, I have no doubt but that there was some eloquent son of Maine who made substantially the same argument that was made here the other day; and yet if that argument had been potential, if that number had been continued up to the present time, and other States had the representation that they would have had, to-day there would be 771 members entitled to seats upon this floor. And has Maine suffered? Certainly not. As the people have learned from time to time, when they must lose in quantity they have so improved the quality that Maine certainly to-day has no cause to blush for her representation on this floor.

Mr. JONES of Virginia. Will the gentleman permit a question in that line?

Mr. HEPBURN. Why, if the gentleman desires to ask me if I want to say the same thing for Virginia, I will say, unhesitatingly, "yes." [Great laughter.]

Mr. JONES of Virginia. I would ask the gentleman if this apportionment had taken place two years ago instead of now—when Mr. Reed was Speaker and Mr. Dingley the leader of the majority—if he thinks such a bill as this would ever have been reported here?

Mr. HEPBURN. Oh, Mr. Speaker, I remember well the potency of the Speaker. [Laughter.] I remember that a particular individual at the time mentioned had his great power as an individual reinforced by the surrender of my power and that of every other member of this House into his hands. Whether he could have controlled the committee I do not know, but I am inclined to doubt it.

Mr. Speaker, I want this House to have the largest number of persons that it can to discharge the business that it has to transact; but I do not want its number to be so augmented as will furnish an argument for the binding of the hands of the individual members of the House. And I know, and every one of you know, that it will be urged, and that it will have its effect upon certain members who have to vote upon a question of the rules before they have had an opportunity to chafe under the restraints and tyrannies of those rules.

And I know that when the placid gentleman now occupying the chair, the leader upon this side, my venerable friend on my right, and a corresponding number of gentlemen occupying corresponding positions on that side of the House, in the early days

of the session, when the neophyte is here and has not been hazed [laughter], he sees them standing up as advocates of a retention of the rules without change, he naturally says to himself, "This must be all right, or such leaders, who have the confidence of the American people, would not be their advocates." forgetting, or never knowing in his innocence, that these gentlemen belong to the charmed circle [laughter]; that these gentlemen, because of their great eminence, because of their marked and recognized superiority, have a power in this House that is above rule, or that compels the amelioration of the rule in their behalf whenever they propose to invoke it.

Mr. Speaker, I heard a gentleman in this debate, in support of this enlarged number, say that this House could do whatever it chose. I want to deny that statement. I make the assertion here that there is no proposition that affects the people of my State or of any one of the States that an individual member can secure even consideration of without he first addresses himself to another Representative and gets the consent of that Representative. [Applause.] I remember of hearing my friend on my right once say that under the rules of this House the House could do whatever it chose. I would yield to him a moment for the purpose of asking him if, after reflection, he would contradict the statement that I have here so deliberately made?

Mr. GROSVENOR. After the very high compliment that the gentleman from Iowa has seen fit to bestow on me I would not contradict anything that he would say. [Laughter.]

Mr. HEPBURN. Thank you. I now appreciate the value of compliments, and I shall henceforth use them in the place of arguments. [Laughter.] Mr. Speaker, the statement that I have made is a grave one. It ought not to be made without deliberation. I ought not to say to the American people that the whole scheme and plan of the Constitution with regard to this House of Representatives is subverted, destroyed, annihilated by the rules of this House without it was true. And I will ask any gentleman, and I will yield to him if he will undertake to tell us, how any proposition can be brought before this House without it receives the assent of the Speaker of the House. And even then, with reference to a great majority of propositions, how can it be brought to the House after it once has gone into the bosom of a committee and that committee does not see fit to report it?

Every member upon this floor, 356 of us, may be anxious for the adoption of a proposition, and it can not be brought to the consideration of the House by any possible means known to the law without the consent of that gentleman into whose hands you and I have surrendered the political power of our constituents.

Now, Mr. Speaker, what is the excuse for this? Mind you, I am not criticising the old Speakers or the new. I have no complaint to make of the manner in which they administer their power. I am quarreling with ourselves, and we will be asked to continue this robbery of ourselves, this wrong to our constituents, this surrender of their political power—for it is theirs, gentlemen, and not yours or mine—we will be asked to continue this. Why? Because the House is so large, because it is so unwieldy, because the confusion is so great, that business can not be transacted without it. Therefore from time to time the surrender is made.

I want that we shall act on this bill so that we will not give added force to declarations that are made in that behalf in the near future. I think that even with the number that we have there is confusion. My friend called attention to it to-day when the important matter was being settled as to when we should reach a vote upon this question. Time and again the gentleman from Tennessee [Mr. RICHARDSON] was compelled to rise in his place and insist that although important business was being transacted publicly here upon the floor he could not hear a word that was said. He could not tell whether to object or not, and the efforts which the Speaker vigorously exerted time and again were necessary in order to get that slight measure of order that would permit even the gentleman seated where he is to hear what was going on in the House. I do not want this number to be enlarged. I do not believe there is wisdom in the enlargement.

This bill, as it is presented by the committee, seeks no political advantage—none. It is fair, I think, on that question. We would gain, as Republicans, something under the bill proposed by the minority, but if we are going after things political, I am not content with that. I want to go further. I want to increase the membership just 12 more—only 12, gentlemen, only 12. [Laughter.] As one gentleman said a little while ago, "Twenty-nine will make no appreciable difference in the manner of conducting the business in the House." And if it will not, then the House with the addition of 12 more—only 12—will not make any appreciable difference in the transactions of the business of the House, and it will give to the poor, defenseless Republican majority here an advantage of 15. I take it, in some future House; and if we are going after political advantages, I want to go for the largest number. That is the largest number we can possibly secure in any of the propositions that are made between 350 and 400, and if we are

to be moved by political considerations, I want to tell you, gentlemen, my lofty soul can not be moved by a paltry 7. [Laughter.] I want 15. [Laughter and applause.]

[Here the hammer fell.]

Mr. LONG. Mr. Speaker, we certainly have been much interested and instructed by the speech of the gentleman from Iowa [Mr. HEPBURN]; but if we did not know that the bill under consideration was one to apportion Representatives, we would think that he had been discussing a proposed amendment to the rules of the House.

I have listened before to the gentleman's criticisms on our rules. I listened to his great speech at the beginning of the Fifty-fourth Congress, when I first became a member of the House. I realized then his power as a speaker, and the justness of some of his criticisms, but I remember that the rules were adopted in that Congress notwithstanding his objections.

I was not in the Fifty-fifth Congress, but the RECORD shows that he made the same criticisms then. He omitted to make objection, for some reason, at the time of the adoption of the rules of the House in the present Congress, but makes his criticisms to-day instead. I remind the gentleman of the fact that the rules of the House under which we are now proceeding were adopted first in the Fifty-first Congress, when the membership of the House was 325 instead of 357; and I would like to know whether these rules are any more objectionable in a House of 357 than they were in a House of 325. The gentleman's objection is to our rules and our procedure under them, not to the size of the House.

I speak to-day in favor of the proposition for a larger House. I speak in favor of the proposition for a House that will recognize the increase of population in this country in the last ten years. I am in favor of a House that will follow the precedents of half a century by an increase in membership to keep pace with the increase in population. I am not willing to go back to the apportionment act of 1850 as a guide for my footsteps, even though it is indorsed by the gentleman from Iowa.

But while I differ from him in regard to the size of the House, I agree with him that it is impossible under the Constitution to do equal and exact justice to all the States in an apportionment bill. The members of this House were certainly convinced of that fact by the criticism which the gentleman from Illinois [Mr. HOPKINS] made on the bill of the minority, that it did injustice to certain States; and they also realized from the speech of the gentleman from Maine [Mr. LITTLEFIELD] that the bill of the majority did injustice to some of the States.

The statements of these two gentlemen are absolutely correct and show the impossibility of enacting a law that will exactly apportion Representatives among the several States.

The Constitution provides that Representatives and direct taxes shall be apportioned among the several States according to their respective numbers. Direct taxes can be exactly so apportioned. When the amount of the tax is determined it can be apportioned among the States according to their respective numbers, for the reason that a dollar can be divided into 100 parts, and those parts, by the use of fractions, can be still further divided, so there is no difficulty about the apportionment of direct taxes to an absolute certainty.

But when we come to the apportionment of Representatives, and assume a certain number as the size of the House, a difficulty arises from the fact that the population of the different States varies, and it is impossible to divide a Representative. If the population of each State could be accurately and equally divided by any ratio and no remainder left, then Representatives could be apportioned with the same accuracy and equality as direct taxes. But this can not be done, and so from the organization of the Government up to this time, every ten years when an apportionment bill is up for consideration, this question has been debated and discussed and has been the cause of as much argument and controversy as any nonpolitical question that has arisen in Congress. It has attracted the attention of the best minds of the century.

From the time that George Washington vetoed the first apportionment bill, after full consultation with his Cabinet that included Hamilton and Jefferson, down through the century, we find that Madison, Webster, Clay, Trumbull, Conkling, Edmunds, Garfield, and many other statesmen of the country have given their best thought to this question of making the apportionment of Representatives as nearly fair and equitable as is possible under the circumstances.

THE BILLS OF THE MAJORITY AND MINORITY OF THE COMMITTEE.

I call attention to the fact that the bill of the majority, on a computation of 357 members, gives on even division 335, while there are 4,595,126 persons who are unrepresented after that division. What does the bill of the majority do? It gives representation to the four States of Delaware, Idaho, Nevada, and Wyoming. It is compelled to do that under the provision of the Constitution which requires that each State shall have at least

one Representative. Then it takes 18 of the largest fractions in the different States and accords Representatives on those fractions. Then the majority, in effect, say:

We can go no further. Our process uses fractions until we reach 357 only, and we are compelled to leave 23 States with fractions aggregating 1,384,468 without any representation on those fractions.

What does the bill of the minority do? On even division, on a computation of 384, it secures 360. Then, after giving those 4 States Representatives, which it is compelled to do under the Constitution, it takes 23 other States with major fractions and accords them Representatives on their fractions, and then the minority say, "We are unable to accord representation to 1,031,056 persons in the United States." In their bill they accord representation to 253,712 more persons in the different States than the bill of the majority, and, in my opinion, that is getting nearer to exact justice, nearer to equity and the rights of all the States than does the bill of the majority. Now, what is the difference between the two methods? In what respect do they differ in their plan of operation?

Mr. HEPBURN. May I interrupt the gentleman a moment?

Mr. LONG. Certainly.

Mr. HEPBURN. I wish to ask the gentleman, under his ratio—under the table 384—after making the divisions and aggregating the remainder, does he not have a larger number unrepresented than under the table of 357?

Mr. LONG. We do not. The difference is 253,712 in favor of our proposition. We give representation to that many more people.

Mr. HEPBURN. If the gentleman will allow me to correct him, under the table of 357 the remainder is 4,595,126. Under the table of 384 the remainder is 4,660,386.

Mr. LONG. If my friend from Iowa will remember, I have just given those figures; but the bill of the majority accords Representatives to fractions, until the remainder, 4,595,126, is reduced to 1,384,468.

Mr. HEPBURN. Those are minority fractions, are they not?

Mr. LONG. No; they are only minor fractions in Nevada and Wyoming which, under the Constitution, receive one Representative each. There are major fractions in all other cases. The bill of the minority accords Representatives on fractions and reduces the remainder, 4,460,386, to 1,031,056. This bill reduces it 253,712 more than the majority bill does. The unrepresented population in the United States is 253,712 fewer under the minority bill than under that of the majority, and I ask the gentleman from Iowa whether that is not nearer to exact justice in an apportionment than the bill of the majority?

Mr. HEPBURN. I do not think it makes any difference one way or the other as a matter of justice.

Mr. LONG. That is the difference between the gentleman and myself. I think Congress under the Constitution should adopt such method or methods, such process or processes, that will give representation to as many people in the different States as possible and leave as few people in the different States unrepresented as possible.

Mr. HEPBURN. Then, let me ask the gentleman why he does not go still further, so that his divisor will be a less number? The smaller the divisor the more certainty there is of having exact and equal justice in the distribution of power. Why not go to 400 as the total membership of the House?

Mr. LONG. Will the gentleman present an amendment for 400?

Mr. HEPBURN. You are talking about what ought to be done.

Mr. LONG. Is the gentleman ready to propose such an amendment?

Mr. HEPBURN. Certainly not.

Mr. LONG. If he will propose it, I will support it.

Mr. HEPBURN. But in your anxiety about doing exact justice why do you not go still further?

Mr. LONG. In the minority bill we have recognized the increased population in the country since the last census, as I will show before I conclude, and we have enlarged the House, following the precedents of prior apportionments. We have made no greater increase than was made in the apportionment of 1882 and in that of 1891.

THE DIFFERENCE IN METHODS BETWEEN THE BILLS.

The difference between the two bills is this: The gentleman from Illinois—and I would like to have the attention of my genial friend from that State—the gentleman from Illinois takes 357 as the fixed number. He divides the constitutional population of all the States by that. He gets the ratio in that manner. Then he divides the population of the different States by that divisor and obtains a certain number on even division, and that number is 335.

He has a number of fractions left over in the different States. He accords representation to the 4 States of Delaware, Idaho, Nevada, and Wyoming, as he is compelled to do under the constitutional provision that each State must have at least 1 Repre-

sentative, and then to the 18 States having the largest fractions he accords Representatives. When he reaches the number 357 he says, "Even though I have done injustice to Colorado, Florida, and North Dakota in not giving them representation on their major fractions, yet I am compelled to refrain from doing so because my process will not admit of it."

The minority of the committee believe with him that there should be a certain assumed number as the size of the House, but they differ from him in this, that they do not believe that that number should be absolutely fixed and invariable. They believe that it is just and right to vary from that number whenever it is necessary to give representation to major fractions.

Mr. HOPKINS. Will it trouble the gentleman if I interrupt him?

Mr. LONG. Not at all.

Mr. HOPKINS. I do not desire to interfere with the gentleman at all. On that principle, if you wanted to carry that on so as to take care of every major fraction, is it not a fact that you can not stop short of 395?

Mr. LONG. It is a fact under your process.

Mr. HOPKINS. We will not call it anybody's process, but under the figures presented by the Director of the Census, and under which, it is claimed by the minority of the committee, the bill is in part framed, is it not a fact that in order to have all the major fractions cared for you can not stop short of 395, with a ratio of 188,774?

Mr. LONG. It is a fact that you can stop anywhere you want to stop. You can assume any number you want to assume in the first instance, and then, in making your division, do it with the understanding all the time that you are not bound to the original assumed number, but that you must go on and give representation to the major fractions until you give representation to every major fraction that exists.

Mr. HOPKINS. Now, if my friend will allow me, under the bill that is advocated by the gentleman, with the number that they propose to fix as the membership of the House, there are major fractions in both the States of New York and Pennsylvania, and if you include those States it will keep you on until your each the number 395, at which number you dispose of all of the major fractions and allow each State representation.

Mr. LONG. I want the gentleman's attention once more, and I hope that he will be fair on this question.

Mr. HOPKINS. Oh, certainly.

Mr. LONG. The computation is made on the Table 384; but on that computation 2 States, and 2 States only, have major fractions unrepresented—the States of Virginia and Nebraska. When you take the Table 386 and attempt to give representation to every major fraction on that table you find that you have 6 States with major fractions—Iowa, Maine, Massachusetts, Michigan, Nebraska, and Ohio. That is when you take 386; but when you take 384 you only have 2 States under the table without representation on major fractions.

Mr. HOPKINS. Now, right there. When you take 386, then there are 6 States instead of 2 that have major fractions.

Mr. LONG. That is right; that is, when you make the computation on 386.

Mr. HOPKINS. Then you keep on increasing in order to dispose of the major fractions until you get to 395, and at 395 no State loses anything and every State is treated exactly alike.

Mr. LONG. I do not admit that it is necessary to go to 395. I hope the gentleman will understand that. He is wedded to a particular process that recognizes only a sufficient number of fractions to reach the original number. This House, in my opinion, is not tied to that particular process.

Mr. HOPKINS. I do not desire to interrupt the gentleman unnecessarily, but I wish to say this: I have never contended that the House did not have the right to do whatever it chose. My proposition has been that if you take a process in order to determine the membership of the House, science and mathematics require you to follow it out and to treat every State alike under that process.

Mr. LONG. I want to call the attention of the gentleman again to the fact that we do not believe in following his process without any variations.

Mr. HOPKINS. No; but the gentleman must bear in mind that in mathematics you have got to follow out a proposition to its logical result. You can not take 384 and give representation to part of the States, and then adopt some other process, because that is not treating the States fairly. Either you must take the process and follow it through to its logical, legitimate, and mathematical result, or you must abandon it entirely and then make up your representation on some system of your own.

Mr. LONG. Not at all. The gentleman speaks of doing injustice to States. I have admitted that this process of yours and the plan under which the minority are operating will result in injustice to some States. If that was not the situation we would not be discussing this bill here to-day.

THE WEBSTER REPORT OF 1832.

I now call the gentleman's attention to the controversy that we had the other day, when, during the course of his remarks, he claimed that he was acting under the plan laid down by Mr. Webster, and he said that Mr. Webster in the Senate amendment adopted a certain number, and that by according Representatives to all major fractions he reached the original number that he had assumed in the first instance. I want to call his attention to the fact that he has made a misstatement in that respect and has attempted to mislead the House.

This question has been the subject of great and extended discussion, simply on account of the fractions that remained after dividing the population of the different States by the ratio that was either assumed or found on some preliminary basis.

From the first apportionment down to 1832 fractions in every instance were disregarded, and no representation was given on them. In 1832 the House again passed a bill denying representation on fractions. It reached the Senate and, after some consideration, was referred to a committee, of which Mr. Webster was chairman. A report was made on the bill in which the whole question was fully discussed. Like every other question to which that great constitutional lawyer and statesman directed his attention, he proceeded to illumine the whole subject, and his report has formed the basis of much of the discussion on this question since that time.

In the first place, in this report Mr. Webster lays down the doctrine of the inability to do equal and exact justice to all. He states that it is impossible to make an apportionment that is exactly just and equitable to all States; and he says that part of the Constitution which requires us to apportion members among the several States according to their respective numbers means as *near as may be*; and that is what we are endeavoring to do. And he further laid down this proposition:

The next thing to be observed is that the Constitution prescribes no particular process by which this apportionment is to be wrought out. It has plainly described the end to be accomplished, viz, the nearest approach to relative equality of representation among the States; and whatever accomplishes this end, and nothing else, is the true process.

Further on he says that—

It may be necessary to employ several processes in order to accomplish the nearest approach to exact justice among the different States.

There is one proposition that Mr. Webster lays down that I want to call to the attention of the gentleman from Illinois, and that is the one we are contending for; and it runs through an entire political system. When we apportion delegates in our political conventions in the different States we accord representation for so many votes cast for a certain candidate in a previous election in the township or county, and one for every major fraction. All over the country representation in State and district conventions is given to major fractions, and I insist that we should recognize this principle in the passage of this bill, as it always has been done, with the exception of the act of 1850.

Mr. HOPKINS. Now will the gentleman allow me, right there?

Mr. LONG. Certainly.

Mr. HOPKINS. In your bill as you report it are there not States with major fractions that are unrepresented?

Mr. LONG. There are not.

Mr. HOPKINS. Does not the gentleman know that in the State of Pennsylvania, under the minority bill, there is a major fraction of 120,515 that is unrepresented under that bill?

Mr. LONG. The State of Pennsylvania?

Mr. HOPKINS. Yes, sir.

Mr. LONG. The State of Pennsylvania has a fraction of 88,291, which is not a major fraction.

Mr. HOPKINS. On what membership?

Mr. LONG. On a computation of 384.

Mr. HOPKINS. Three hundred and eighty-four. Is your bill predicated on a membership of this House of 384 or 386?

Mr. LONG. Our proposition is—

Mr. HOPKINS. Answer my question.

Mr. LONG. I will answer it. We finally make a House of 386.

Mr. HOPKINS. Then, with 386, the tables show that there are 120,515 people in Pennsylvania that are unrepresented.

Mr. LONG. We are bound by the Constitution and not by the gentleman's tables.

Mr. THROPP. Will the gentleman permit me an inquiry?

Mr. LONG. Certainly.

Mr. THROPP. With reference to the fraction of which the gentleman from Illinois has spoken. If you make your bill 388, which is 2 more, Pennsylvania will have 33 members, an increase of 3 members instead of an increase of 2 members, as she has under the Burleigh bill. Further than that, if the gentleman wishes to reach the right conclusion, the only one that is right, as he says they wish to, and therefore he claims he presents the better method, he can reduce the total minorities from 1,300,000 to 1,000,000, and by making this House 395 members every State with a major fraction will be taken care of and 13 minority fractions will remain, and this will leave only 419,017 unrepresented.

Mr. LONG. Will the gentleman from Pennsylvania present such an amendment?

Mr. THROPP. I will.

Mr. LONG. Has it the support of the Pennsylvania delegation?

Mr. THROPP. I do not know whether it has or not.

Mr. LONG. I wish the gentleman would ascertain.

Mr. THROPP. I only bring up the question now, so that the gentleman can consider it.

Mr. LONG. I understand we can assume any number in the first place as the size of the House. That is recognized in this report. That is the basis and has been the basis of all apportionments, but we are not bound to work out a House and stop at that assumed number. That is the principle we assert. I want now to call the attention of the gentleman from Illinois—

Mr. HOPKINS. You have it all the time.

Mr. LONG (continuing). To what this report says in regard to major fractions:

If the view thus taken of the rights of the States and the duties of Congress be the correct view, then the plan proposed in the amendment is in no just sense a representation of fractions. But suppose it was otherwise; suppose a direct provision were made for allowing a Representative to every State in whose population, it being first divided by a common ratio, there should be found a fraction exceeding half the amount of that ratio, what constitutional objection could be fairly urged against such a provision? Let it be always remembered that the case here supposed provides only for a fraction exceeding the moiety of the ratio; for the committee admit at once that the representation of fractions less than a moiety is unconstitutional, because, should a member be allowed to a State for such a fraction, it would be certain that her representation would not be so near her exact right as it was before.

But the allowance of a member for a major fraction is a direct approximation toward justice and equality. There appears to the committee to be nothing either in the letter or the spirit of the Constitution opposed to such a mode of apportionment. On the contrary, it seems entirely consistent with the very object which the Constitution contemplated and well calculated to accomplish it. The argument commonly urged against it is that it is necessary to apply some one common divisor and to abide by its results.

And further on in the report the rule is stated to be this:

Let the rule be that the whole number of the proposed House shall be apportioned among the several States according to their respective numbers, giving to each State that number of members which come nearest to her exact mathematical part or proportion; or, let the rule be that the population of each State shall be divided by a common divisor, and that, in addition to the number of members resulting from such division, a member shall be allowed to each State whose fraction exceeds a moiety of the divisor.

Unless, says the gentleman from Illinois, you reach the original number that you started with, and if you do, you must stop short, and go no further. What does Webster say?

It is true that there may be some numbers assumed for the composition of the House of Representatives, to which, if the rule were applied, the result might give a member to the House more than was proposed.

The same as it does in the minority bill. The same as it does under the majority bill. What then?

But it will be always easy to correct this by altering the proposed number, by adding one to it or taking one from it; so that this can be considered no objection to the rule.

What does the gentleman from Illinois say? "Stop! You must not go any further than the number assumed in the first instance."

Now, what were the facts as to this amendment in the Senate, the gentleman from Illinois to the contrary notwithstanding? In the amendment reported, the size of the House was in blank and the apportionment to the different States was in blank. Mr. Webster demanded a vote on the principle whether or not fractions should be given representation, and the vote of the Senate was a tie, 22 to 22, and the Vice-President cast his vote in favor of the Webster proposition, and the principle was indorsed by the Senate.

Mr. HOPKINS. Does the gentleman indorse all that Mr. Webster says in that report?

Mr. LONG. I do not know whether I indorse all that he says or not. I have found nothing yet that I do not indorse, but there may be some things in it upon which I might take the gentleman from Illinois rather than Mr. Webster. [Laughter.] But on this proposition, and what this particular amendment was, I would rather take Mr. Webster.

Mr. HOPKINS. Will the gentleman allow me to read a line or two from Mr. Webster's report?

Mr. LONG. If it is not too long.

Mr. HOPKINS. It is only a line or two.

It is enough that the State presents her own representation on the floor of Congress in the mode she chooses to present it. If the State were to give one portion of her territory a Representative for 25,000 persons, and to the rest a Representative only for 50,000, it would be an act of unjust legislation, doubtless, but it would be wholly beyond the redress of any power of Congress, because the Constitution has left all this to the State itself.

Does the gentleman from Kansas approve of that?

Mr. LONG. I do.

Mr. HOPKINS. All right.

Mr. LONG (continuing). The minority and the majority bills to the contrary notwithstanding.

Mr. HOPKINS. Well, you are prepared to take anything. [Laughter.]

Mr. LONG. The principle being indorsed by the Senate, what happened? Two hundred and fifty-six was proposed in the Senate and voted down. Two hundred and fifty-one was proposed

and accepted, and that was the Senate amendment; and if the gentleman from Illinois had read the report that he said he had in his desk, he would have learned the way and manner in which the Senate arrived at the number 251. The number assumed was 250, and then they accorded a Representative to every major fraction, and that increased the House to 251, the same as by assuming 384, as is done in the minority bill, and according representation to every major fraction you make a House of 386. When this amendment came back to the House it was referred to a committee of which Mr. James K. Polk, afterwards President of the United States, was chairman, and he made a report against recognizing fractions at all. Mr. Edward Everett, of Massachusetts, presented a minority report. I want to call the attention of the gentleman from Illinois to the statement made in that minority report:

But while the minority of the committee are decidedly of opinion that the laws of equity and the fair interpretation of the Constitution require an apportionment on the principles of the amendment of the Senate, they recommend to the House to adopt a different number, viz, 256. This number has the advantage of retaining to each State its present representation in Congress—

A matter that does not seem to concern the gentleman from Illinois—

an advantage not possessed by the number 251. It is an additional recommendation of the number 256 that it is the exact mathematical result of the rule of proportion, applied according to the principles maintained in the foregoing statement. In apportioning a House of 250, the result is a House of 251—

And that is what the Senate did—

and if 251 be the number assumed the aggregate result would be 252. Although in practice there is no inconvenience in this result and the principle of the nearest possible approach to exact mathematical proportion remains unimpaired, the number 256 has the advantage of being free from this real or supposed objection. The minority of the committee accordingly recommend an amendment to the amendment of the Senate, in virtue of which the House will consist of 256 members, distributed in such a manner that each State will have that number assigned it which comes the nearest possible to the exact proportion which the population of the State bears to the Union.

That is what the minority of that committee, through Edward Everett, said; and if the Senate had adopted 256, the gentleman would be right in his assumption that they utilized all the major fractions and reached only their original number. But the number which the Senate adopted being 251, he was incorrect in his statement.

Mr. HOPKINS. The gentleman has been kind enough to refer to the minority report in that case. Does he not know that the majority report, presented by Mr. Polk (subsequently President of the United States), said that—

The amendment fixed the number of Representatives in this House at 251 members; and it is to be observed that there is no ratio or common divisor that can be selected which will equally apply to the separate population of the States?

So that the controversy between the House and the Senate was not so much as to whether every majority fraction should be represented as it was whether any fractions at all should be represented. Up to that time, from the foundation of the Government, fractions had been disregarded in all apportionments. The House prepared a bill on that basis and sent it to the Senate; and the Senate, under the leadership of Mr. Webster, found the inequalities such that they adopted a new ratio to take care of major fractions. They prepared a bill for 251 Representatives, which took care of the major fractions.

Mr. LONG. They did not prepare a bill which assumed 251 in the first instance as the number. Their amendment assumed 250 as the number; and if the gentleman wants any more evidence on that point, I will call his attention to the statement of Senator Dickerson as to how that number was obtained.

Mr. HOPKINS. I do not care how it originated. My proposition is this: The Senate struck out all of the House bill and sent back to the House a bill providing for a membership of 251, which membership took care of the major fractions.

Mr. LONG. How did they reach that number?

Mr. HOPKINS. That is immaterial for the purposes of this argument.

Mr. LONG. It is not. That is the difference here between the majority and minority bills. The gentleman says that because we exceed the number that we first assumed we are violating the Constitution and all the rules of mathematical certainty. We say no.

Mr. HOPKINS. The gentleman knows that by taking 251 as the number they took care of every major fraction. Did they not?

Mr. LONG. They in the first instance took 250, and then, taking care of every major fraction, they reached a House of 251. Now let me read Senator Dickerson's statement.

Mr. HOPKINS. Before the gentleman does that, let me say this: When the Senate got through with the process which the gentleman has been talking about, they had a membership of 251, and every major fraction was taken care of, was it not?

Mr. LONG. Yes, sir.

Mr. HOPKINS. Now, the difference between that proceeding

and the proceeding adopted in your bill is this: You have deliberately taken 384, as you say, and then added 2.

Mr. LONG. We add 2 for the major fractions.

Mr. HOPKINS. But when you get 386, you leave out two States with major fractions, which the Senate did not do in the case we are arguing.

Mr. LONG. Which the Senate did do.

Mr. HOPKINS. Oh, no; the Senate took care of all major fractions.

Mr. LONG. All major fractions on their computation, not on a computation upon some other divisor. Here is what Senator Dickerson said as to the basis of the calculation:

The basis of the calculation was for a House of 250.

Does the gentleman understand that?

Mr. HOPKINS. I understand that fully.

Mr. LONG. Two hundred and fifty, not 251.

By applying a common divisor and rejecting the fractions the House was reduced to 240. These were the Representatives belonging to the aggregate fractions; those, being given to the States having the highest fractions, would make a House of 250, according to the original basis of the calculation. As, however, Alabama had a fraction less than those of ten other States, but still more than a moiety of the common divisor, and as this State is a new and rapidly growing State and possessing, without doubt, at this time a population sufficient to give her another Representative, it was thought but equitable that she should have such Representative.

The House refused to adopt the amendment of the Senate. The Senate finally receded, and the bill was passed without recognizing any fractions in the apportionment.

It will thus be observed from the reading of this report and the proceedings under it that Mr. Webster believed that it was right to assume a certain number as the size of the House; that the constitutional population of all the States should be divided by it, and the result thus obtained should be used as a divisor to divide the population of each State; that in addition to the result obtained by dividing the population of each State by this common divisor, every major fraction should be accorded a Representative, and that this number should be added to the number obtained on even division, even though the number finally reached was greater than the one assumed in the first instance.

That is the way they reached 251—by recognizing all States with major fractions.

Mr. HOPKINS. Will the gentleman state to the House—

Mr. LONG. I will have to ask the gentleman to desist. If he has any further questions—

Mr. HOPKINS. The only point I was going to inquire about—

Mr. LONG. I ask the gentleman to remember that my time is limited.

Mr. HOPKINS. I will not occupy the gentleman's time further.

THE APPORTIONMENT OF 1842.

Mr. LONG. The arguments made in the report of Mr. Webster left their impress upon Congress and the country, and the result was that when the next apportionment was made in 1842, for the first time in our history, major fractions were recognized and accorded representation. The act of June 25, 1842, recites the ratio of representation and then says each State shall have Representatives equal to the number obtained by dividing the population of each State by such ratio and then says:

And of one additional Representative for each State having a fraction greater than one moiety of the said ratio, computed according to the rule prescribed by the Constitution of the United States.

The bill of the minority does that. The bill of the majority excludes three States, Colorado, Florida, and North Dakota, which have major fractions.

THE APPORTIONMENT ACT OF 1850.

When we come to the act of May 23, 1850, we find for the first time this ironclad, unyielding process followed by the gentleman from Illinois. Two things were attempted to be done by that act, both of which have failed in every apportionment since and will fail this time unless the gentleman from Illinois secures the passage of the bill of the majority and its enactment into law. The first was that the Congress of 1850 said that this House had become large enough; that it never should be any larger; that there should be no attempt to keep pace with the increase of population; that the membership of this House should be fixed for all future time at 233, and in order to avoid the temptation of adding to the number or interfering with it they imposed upon the Secretary of the Interior the duty of making the apportionment under the process.

The act instructs him to divide the population of the United States by 233; that the result should be the ratio of apportionment of Representatives, and that he should divide the population of each State by this ratio and that the product of this last division should be the number of Representatives apportioned to such State; that the loss in the number of Representatives caused by the fractions remaining in the several States on the division of the population should be compensated for by assigning to so many States having the largest fractions an additional member each for its fraction as may be necessary to make the whole number of Representatives 233. There is the beginning of the process to

which the gentleman from Illinois is wedded and which he declines to vary in any particular, except that he assumes the number 357 instead of 233.

It will be observed that this process differs from that laid down by Mr. Webster in this: It makes no distinction between major and minor fractions; it only takes a sufficient number of fractions, having regard to their size, beginning with the highest, which may be necessary, to reach the original number fixed as the size of the House.

This method was known for years as the Vinton method, named after the gentleman who originated it. It was followed in the apportionment of 1852 with no variations, but it has never been followed since, for by following it major fractions would not be accorded representation.

THE APPORTIONMENT OF 1862.

In the apportionment of 1862 the Secretary of the Interior apportioned a House of 233 under the law, and submitted his report to Congress. The House at that time consisted of 239 members, by reason of the admission of new States, and promptly passed a bill providing for 6 additional members, so that the size of the House would not be decreased.

The bill went to the Senate and was considered there. I want to call attention of the gentleman from Illinois and the House to the remarks of Mr. Collamer, of Vermont. He tells how it was amended. He says:

Take the bill as passed by the House of Representatives, that they should have their number 239, and then take the census of 1860 and divide the representative population by 239, as their bill proposes; that will ascertain your fractions.

Then go on and give Representatives to every State, according to that representative ratio produced by that result, and then give to each State having the fractions, if by giving them you will make them nearer to the ratio than they would be by withholding them, and it will give to just those States which I have enumerated in my amendment, taking from none.

That made a House of 241, or 233 as apportioned by the Secretary of the Interior and 8 additional as apportioned by the act, and it was obtained just as the minority have obtained the number 386 in this case, by taking 239, dividing the population of all the States, obtaining the ratio, dividing the population of each State by it, recognizing all major fractions, and reaching a House of 241. The House concurred in the amendment and it became a law.

THE APPORTIONMENT OF 1872.

The apportionment of 1872 under the Ninth Census was first made on the basis of a House of 283 members. It was James A. Garfield's amendment in the House that finally was adopted and incorporated into the bill. A determined effort was made to retain the House at 243, it having increased to that size during the preceding decade by the admission of the States of Nevada and Nebraska. The attempt was a failure, and the bill provided for an increase of 40 in the House. The act gave representation to all major fractions.

Scarcely had the bill become a law when it was realized that an injustice had been done the States of New Hampshire and Vermont. By increasing the House to 283 all other States had saved the representation that they had at that time except the States of New Hampshire and Vermont. A supplemental bill was introduced in the House and passed with but very little opposition, the report of the committee containing this statement:

The recent action of Congress in increasing the size of the House to 283, in order to save 8 States from a diminution in the number of their Representatives, has inclined the committee to recommend a further increase of 9 members, making the whole number 292, which is believed to be the smallest number that upon an equitable and constitutional apportionment will leave each State with at least its present representation.

The committee adopted the method followed by the minority of our committee, on the basis of an apportionment of 290 members. It is shown in the report that 278 members would be obtained on even division and 12 would be secured on fractions; but the committee did not stop, as the committee that reported this bill did, when the original number of 290 was reached, but proceeded further and gave New Hampshire a Representative on a fraction of 55,450 and Florida one on a fraction of 56,223. The ratio was 131,425; so these were not major fractions; but the report stated that the reason this was done was that greater injustice would be done each of these States by not giving it the additional Representative than to other States by giving it.

The bill became a law as it passed the House.

It will thus be seen that the apportionment of 1872, fixing the House at 292, which in a few years was increased to 293 by the admission of Colorado, was another instance in which jealous care was taken to accord Representatives to States with fractions, even though they did not amount to one-half the ratio.

THE APPORTIONMENT OF 1882.

In the apportionment of 1882, under the Tenth Census, several propositions were made as to the size of the House, and a bill was reported fixing the number at 320 members. Finally an amendment was proposed by Mr. Anderson, of Kansas, fixing the number at 325 and apportioning them under the recognized method, but

this number was selected largely, as is shown by the remarks of Mr. Anderson, because no State would have a major fraction unrepresented and the size of the House would not be unduly increased.

A reference to the table used at that time will show that 309 members were obtained on even division and that the remaining 16 members in order to reach the number 325 utilized all the major fractions and also two minor fractions, one in the State of New York and the other in the State of Texas.

THE APPORTIONMENT OF 1891.

In the apportionment of 1891 under the Eleventh Census, the committee of the House reported a bill fixing the number of members at 356, and used the following language giving the reasons for taking this number:

Trials were made until a number was found that would give a ratio which in application would secure each State against any loss in its membership and in no instance leave a major fraction. This number was found to be 356. The ratio was 173,901. The number of members obtained on even division was 339. The additional 17 needed to make the number 356 was secured by giving another member to each of the States having left to it a major fraction.

The bill passed the House and became a law.

From this history of apportionment it will be seen that since 1850 major fractions have always been accorded representation, and never in a single instance has an apportionment act failed to do so. Not only that, but in several instances large minor fractions were accorded representation when it was deemed equitable and fair to do so.

The report of this committee, if adopted, will be the first instance in which major fractions are disregarded and where an arbitrary rule or process has been adhered to, even though injustice is done to several States.

The minority insists that not only should every major fraction be recognized in making the apportionment, but also, if possible without securing an unwieldy House, that a number shall be fixed that will not reduce the representation from any State. The number, 386, under the bill proposed by the minority secures this result. Every major fraction is recognized, and a number is fixed that does not reduce the representation of any State.

KANSAS DURING THE LAST TEN YEARS.

The gentleman from Illinois, in his remarks the other day, had this to say of Kansas, which I in part represent:

The trouble is not with the bill reported by the committee, but with the condition existing in the State of Kansas. Kansas has been cursed for ten long years with Populism. Capital has been driven from the State. Energetic, progressive, splendid men who sought homes there have been driven elsewhere. That young giant, as it was ten years ago, has been a laggard in the race of the States that form the Republic. Fifty-four counties in the State of Kansas during the ten years that the Populists have been in power in that State show a decrease. * * *

Now, Mr. Speaker, as I was saying, in 54 counties of Kansas in the last ten years the population has decreased from one-half of 1 per cent to 6 per cent, and taking the entire State, it has increased in population only 3 per cent—less than the births of the State.

It is true that Kansas has gained but 43,000 in population in the last ten years. But it is not fair to refer to her as a laggard among the States simply because the last decade has shown this small increase in population. That State, from 1860 to 1870, increased 240 per cent, and from 1870 to 1880, 173 per cent. It is a State wherein progress has been made under great difficulties, and where at times the courage and fortitude of the people have been sorely tested.

Great prosperity was apparent everywhere in the closing years of the decade ending in 1890; but in 1891 times became hard, and the prosperity that had been ours to such a remarkable extent, changed to adversity. In 1893 this country experienced the greatest panic that has been known since 1837. The prices of farm products decreased to the lowest point within the memory of men then living, and Kansas, which is usually first in prosperity, at that time was first in adversity, and the people of the State early in the decade began to leave it in great numbers, hoping that in Illinois and other States they could find prosperity and happiness, which it was not their fortune to have in the State of Kansas at that time. But no sooner had they left the State, and gone to Illinois and other States, than this general panic was upon the whole country, and they regretted many times the change.

If Kansas in the midst of her misfortunes attempted to correct and improve financial conditions by unusual legislation, it is not the first time in the history of the country that this has been attempted. Kansas has not taken the initiative.

Kansas largely assisted in peopling the new Territory of Oklahoma, to the south, and many persons that were enumerated in Kansas in 1890, in 1900 were counted in making up the total population of that great Territory.

But as Kansas was first to feel the general panic that swept over the country early in the decade, so she was first among the States to feel the return of prosperity when it came, and during the last four years, and especially during the last two, she has made wonderful advancement in recuperating the wasted fortunes of her people and in returning to her old-time prosperity and enterprise.

The value of the live stock and other farm products of Kansas during the last year increased in value \$28,000,000 over that of the previous year, and the value of those products during the last two years has increased \$66,000,000. The banks of the State are overflowing with money deposited by its citizens. They have not only paid off their mortgages and discharged their other obligations, but they are loaning money now to the less fortunate citizens of Illinois and other States of the Republic. [Applause.]

While this progress and improvement has been apparent everywhere in the last four years, it did not come in time to bring home our wandering citizens who had gone to Illinois, Missouri, Oklahoma, and other States and Territories which make a better showing in the returns of the census than Kansas.

It is unfortunate that the chairman of a great committee should have referred to the political eccentricities of our great State. The progressive spirit of our people has always inclined Kansas to experiment with new plans and policies in political affairs, but when found of no value she has always been quick to abandon them. I am myself a living witness of the political uncertainties of our State, but I am here to-day not to represent the Republicans of Kansas, the Democrats, or the Populists, but to represent the people of the State without regard to party. If we have erred in the past, the gentleman from Illinois should not taunt us with our wrongdoing, at least after we have fully and completely reformed.

There are those of us in the State who would like to forget some things that have happened in the last ten years in the history of our State, but the gentleman from Illinois insists on fixing a number for this House that will decrease our representation for the next ten years; insists that every time a roll call is had in this House, every time a vote is taken in the Electoral College, we of Kansas shall be compelled to remember that once we had 8 Representatives in this House instead of 7, and once had 10 votes in the electoral college instead of 9. He wants this State of ours chastised, and this as an object lesson, to be held up before us continuously for the next ten years, lest we forget the occurrences of the decade just closed. It is not right, it is not just, that this situation should obtain.

Kansas is not here as a suppliant for favor from other States. She simply asks that a number may be fixed as a size for the House for the next ten years that will recognize the increase in the population of the United States. In 1870 the constitutional population of the United States was 38,000,000, and Congress in its wisdom fixed the size of the House at 292. By 1880 the House had increased to 293 by the admission of the State of Colorado. The population had increased 12,000,000, and was then 50,000,000. Congress recognized the increase of population and fixed the size of the House at 325, an increase of 32 Representatives, saying that 32 Representatives should be given to represent the 12,000,000 people who had been born under or had willingly come to live under our flag. In 1890 the population had increased 12,000,000 more, and was 62,000,000. Congress recognized the increase, and attempted to keep pace with it by increasing the size of the House to 356, being an increase of 31, saying, "We will give 31 members to represent the 12,000,000 people that we did not have ten years ago."

In 1900 the constitutional population of the States had increased 12,000,000 more, and was 74,000,000. The House has increased to 357 by the admission of Utah. The majority of the committee, for the first time in a half century, going back to the precedent of 1850, say there shall be no further increase in the size of the House of Representatives; that we shall not keep pace with the increase in population; that 357 members represented 62,000,000 people, and that the same number is sufficient to represent 74,000,000. The minority of the committee say, in line with the precedents of a half century, "We recognize the increase in population by an increase in the membership of the House of Representatives." They propose the number 386, an increase of 29, and declare that those 29 members shall be as a recognition of the 12,000,000 people who are now citizens of the United States but who were not ten years ago.

At this number no concession need be made to Kansas. She is accorded a Representative under the table following the strict process adopted by the majority of the committee. The exceptions made are in favor of the States of Nebraska and Virginia, and in making these exceptions we are following the principle laid down by Mr. Webster, which has formed the basis of the various apportionments since that time.

We are tied by no process. We are acting under the Constitution in making this apportionment, and under this high authority let us make an apportionment which will recognize the increase of population during the last ten years by enlarging the House of Representatives to keep pace with the population, and in so doing treat all the States fairly and justly, as near as may be, under this provision of the Constitution as interpreted by its greatest exponent. [Applause.]

Mr. HOPKINS. Mr. Speaker, I yield fifteen minutes to the gentleman from Pennsylvania [Mr. Grow].

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. Grow] is recognized for fifteen minutes.

Mr. GROW. Mr. Speaker, in the reapportionment of members of Congress the first question that arises should be as to the seating capacity of the hall in which they are to meet and do business, for everyone recognizes that there might be a greater number than any hall could accommodate. We have the practical experience with a hall of this size, so it needs no theory about legislation, no theory as to a proper ratio for representation.

With the Hall before us, the eye settles the question as to capacity and room for doing business. A few more seats might possibly be added, but with those we have it is the experience of everybody more than half the time that not half the members of this House can hear what is being said by whoever is entitled to the floor.

Some one may say that it is the fault of disorder. That is partially so, but the larger the Hall and the greater the number of members the greater will necessarily be the disorder. But one thing is true. It is not in the power of any Speaker of this House, now or at any time, to keep it in perfect order. There is only one way that the House can be kept in reasonably good order, and that is by every member keeping himself in order. The greater the number the more difficult it is for that to be done.

If the size of the House is increased—I am not discussing exactly what it should be—but would there be any advantage in having a larger Hall than this? Now we are crowded; members are pressing each other on either side in their seats. A few more seats might be added to this Hall, thus adding to its present discomfort. If that is done, and the number must be increased with the increase of population, then what can be done at the next census? With our experience in this Hall and the old one it would seem to be easy to determine what would be the best number for the size of the House.

The members moved from the old Hall into this one the first session of the Thirty-fifth Congress. The size of the House at that time was 233. It was thought in that session it would be better to bring the members more closely together and not to have them spread over the whole of this Hall. The chairs and desks were removed. The next session, plush benches, such as they have in the British Parliament, were substituted for the chairs. They remained through the short session, and at the end were then removed.

It was found very inconvenient to have no place to lay papers or books and not very convenient sitting room. I grant the benches would make more room, but the members of the House, judging by the trial made in 1858, would not continue benches in place of desks and chairs. If they would not, then there is no way of increasing the seating capacity of this Hall to any extent. But even if that could be done, it would only add to the inconvenience in doing business. Probably one-third of the present members of the House, in the ordinary course of business, can not hear what is doing if they retain their seats, even with great effort on the part of the Speaker to preserve order.

If the Speaker undertakes to keep the House in order by the use of the gavel, he makes more noise than the disorderly members; and if by the use of his voice, it is only a few minutes and it must be repeated. The experience of a hundred years with the two Halls—the old and the new—dissipates all theories of what should be the ratio of representation of the people. In the old Hall there were 233, and I think 241 was the most that ever sat in that Hall.

In this Hall there has been an increase; but in the first session of the Thirty-seventh Congress, in July, 1861, there were about 150 members in the House, and that was all; but the full size of that House was 233, but only 150 took their seats. In the twenty-eight working days of that session more business was done, more great, vital, and important legislation was passed than in any one session of Congress since the Government began. The circumstances of that session, it is true, were peculiar. There was no difficulty in anyone being heard, and business was transacted intelligently. It was unnecessary for a member to leave his seat in order to hear all that was said in the House. With our experience in the two Houses, why should we attempt to enlarge the seating capacity of this Hall, for that is what an increase of the membership means, when it is already too large for the intelligent transaction of business? It is true the Government could build a larger Hall, but that would not diminish the difficulty that exists now, but would increase it.

Mr. Speaker, I make no attack on the rules of the House. They are different from those that existed in the old Hall and those that existed here for a few years after the House moved into this Hall. But under the old rules the Reporters of the proceedings of Congress kept their seats at their desk, and if the person addressing the Speaker could not be heard his speech was imperfectly reported. Then if the Reporters could hear the speech, all the members of the House could hear.

Now, at the Reporters' desk scarcely anyone could be heard in the ordinary proceedings of the House, which is conclusive that

this Hall is quite large enough, if not larger than a hall should be, for the transaction of business. A member to-day takes the floor to discuss some question. He goes down into the area, or near it, and gathers around him a few members, and a colloquy is carried on among them, and that is called a deliberative discussion. In the proceedings in the old House and under the old rules no member was obliged to address the House by permission of a fellow-member. Now no man can address it without such permission except in rare cases.

I do not think it is a deliberative body when a Representative must ask the consent of a fellow-member for time to speak on great questions. This practice has grown up by reason of the great number of members. I take it, Mr. Speaker, that in other days my sentiments on some of the grave questions in those times were not particularly popular with the influences that controlled the House, and had I been compelled to rely upon getting the floor as a favor from the Speaker, or from any member, my voice would have been silent, and so with every other member on a grave question whose views and opinions differed from those of the controlling element in the Hall.

An increase of the members, in my judgment, would only aggravate the evils complained of in doing business in this Hall. There is not sufficient room now, and the desks have been crowded together, so that it is almost impossible to add any more. If the desks are taken out, it will only last one session I am very sure. The seating capacity of the Hall is what ought to be the size of the House, and that can not vary very much from the present membership. If it did, the argument used to-day for an increase must come with redoubled force ten years from now.

That States send their young men and women abroad into newer fields of enterprise in our country is the reason why some States of the Union will lose in population, and consequently in representation. That can not be avoided, regret it as much as we will. These old States that belonged to the original thirteen must nearly all of them lose a part of their younger population, seeking their fortunes in the newer West, by which States spring up in the wilderness with but a few people to-day, and to-morrow with their millions.

For a century the younger generation of New England have left the old homestead—left father and mother—and turning their faces toward the setting sun have gone forth to make for themselves a new home. That can not be helped. Therefore, as much as we regret it that any State in the Union should lose a single Representative in this Hall in any reapportionment of population, it is inevitable. There is no such thing as having a hall large enough to hold all the Representatives on a ratio of increased population in the next ten and twenty years.

The population of this country so far in our existence has doubled every thirty years. It will probably do about the same in the next thirty years, growing from 76,000,000 to at least 125,000,000 people. So the time is coming when it is impossible that the same ratio of representation shall continue unless you build a hall so large that even the members can not see each other in it. No scheme could be devised whereby business can be transacted intelligently and expeditiously with more than a certain number of Representatives. When you add to that number in proportion to the increase of population, the intelligent transaction of business becomes impossible.

We might as well meet the impossible to-day as to-morrow. The same question must be met under the next census, and the next one, and the same reasons will apply in both cases. It will be utterly impossible in a short time in the advancing future that the number of Representatives of the great Republic can be made on any ratio heretofore existing. That time must come. You might just as well meet the question to-day as then; and if your own convenience for the dispatch of business during our term is to be set aside and inconvenience instead of convenience substituted; if we are to sacrifice the intelligent transaction of public business in order to have undiminished representation in the old States, great and glorious as they are, which by the circumstances of life can not be helped, we might as well meet that question to-day as any time. As long as the younger generation seek new fortunes in new homes, this question is coming to us every decade, and we might just as well meet it to-day as any other time. [Applause.]

[Here the hammer fell.]

Mr. GRIFFITH. Mr. Speaker, I find that those who support the minority bill have used up more time than those in support of the majority. I would like to have the other side use some of their time.

Mr. HOPKINS. I will yield ten minutes to the gentleman from North Carolina [Mr. PEARSON].

Mr. PEARSON. May I ask if I can add to that the time I received from the gentlemen from Indiana [Mr. CRUMPACKER and Mr. GRIFFITH]?

Mr. HOPKINS. Oh, there is no objection to that.

Mr. PEARSON. Mr. Speaker, I am greatly obliged to the gentleman from Illinois, who has had a good many attacks made on

him, and particularly as I am going to vote against his bill. I can not compress all I would like to say in the time allotted to me, which I believe, with that which was given to me by the gentlemen from Indiana, will make twenty-five minutes. I will not be able to make a "contiguous and compact" speech, to borrow the language of the gentleman's bill; but I desire especially to give to this House, and to my people, the reasons which compel me to vote against the Crumpacker bill, so called.

I shall vote for what is known as the Burleigh bill, knowing that it will give one more seat to North Carolina, and that that seat will be filled by a Democrat. I shall vote against the Crumpacker measure, knowing that if it should become a law there would be seven members from North Carolina, in the present complexion of politics there, and every man of them a Democrat, and the seats now filled by Republicans and which might hereafter be filled by Republicans from that State would be wiped out.

That may be called a selfish reason, Mr. Speaker. I am opposed to that measure at this time, first, because we have not the data upon which to base a uniform and permanent statute. I am opposed to it because it bears unequally upon certain States. I am opposed to it because it inflicts a punishment on North Carolina which it does not inflict upon Virginia, Georgia, and Alabama, which States simply take a different method of disfranchising their voters.

I am opposed to it because the legislation on which it is predicated, so far as my State is concerned, is manifestly unconstitutional; and it is unwise and unjust to base national legislation, to last for ten years, upon State legislation which is void and will be so declared within three years from now.

I am opposed to it, Mr. Speaker, because it excites at an inopportune moment sectional prejudice and race prejudice at a time when, thank God, and thanks to the patriotism of William McKinley, there never existed in this country a better state of feeling between the North and the South, and I would not have that feeling disturbed unless we could enact a fair, uniform, permanent statute, based upon fresh and accurate figures. The laws of Congress, like the laws of nature, ought to operate certainly, equally, and gradually—not by jerks.

I want to say to the gentleman from Indiana [Mr. CRUMPACKER] that the figures which he quotes in reference to North Carolina are manifestly inaccurate.

The census returns indicate that there are seven or eight counties in North Carolina in which the population in the last decade has decreased. How was that brought about? It was brought about by the emigration of the negroes; and the negroes emigrated from that State because of the harsh measures of the new régime. Certain counties, and particularly, as my friend from North Carolina [Mr. KLUTTZ] knows, the city of Raleigh, felt compelled to make a new census by local authorities. They did not credit the figures of the Federal census. They did make a new census, and that verified the Federal returns, but it was found the loss was due to the exodus of negroes, though there has been a normal increase among the whites.

Therefore, I say to the gentleman from Indiana that his bill at this time can not be fair, can not be made uniform, and I dare to say to the American people that when men suppress the right of suffrage by violence or by fraud they are just as amenable to reduction in their representation on this floor as when they suppress or restrict that suffrage under legal discriminations, under so-called constitutional enactments.

I should like to address my remarks at this time especially to my Democratic friends.

If no action is taken at this time on this question, if the Crumpacker bill fails, I say, as a Southern man whose people on both sides have lived in the South for two hundred years, we might as well recognize the fact that the time will come when there shall be an equal power given to every intelligent vote in this country. The time will come when one vote at the mouth of the Mississippi River will not be permitted to outweigh ten votes at the source of that river. I prefer that we should look this matter squarely in the face.

And let me say to my friends on the Democratic side that when this race issue was acute—when there was real danger of "negro domination"—I voted with you and against the Republican party, in spite of the fact that I indorsed its national principles. I know what you understand by race prejudice. But when the time came in my State that the largest majorities for the Democracy came from those counties where there was the largest and densest negro population I could not be fooled any longer by that cry; and then I and others joined in the movement which overturned the Democratic party in that State. And I say to my friends that we might as well recognize the fact that the time is coming when the equilibrium of this Government will not permit such a strain as that which gives ten times as much power to a Southern vote as is accorded to a Northern vote. We can not say precisely when it will come.

Many of us will agree—there is a Republican leader of this House

who is sitting before me [pointing to Mr. HEPBURN], and another on my right [Mr. HOPKINS], who will agree—that if Abraham Lincoln had lived, that if that fateful bullet had not stopped the throbbing of his great heart, the troubles that grew out of reconstruction, the troubles that grew out of the enfranchisement of a great mass of ignorant men all at once, would have been avoided.

But it is just as true—and the historian who writes up this period of our history will so say—that whatever the fourteenth amendment may be called, whether it be called a blunder or, as some of you gentlemen would say, a crime, it has failed of its purpose. Its only present effect is to give 39 seats in this House and in the electoral college to the Democratic party, and to throw upon the Republicans of the nation such charges as the Democrats habitually in each campaign make on account of it. It has strengthened the hands it intended to curb and crippled the creatures it intended to aid. The fourteenth and fifteenth amendments, instead of being muniments of right, have been converted into instruments of injustice; instead of being pillars of the Constitution, they have been converted into two black signposts, pointing deluded believers to their doom. Lincoln's death was to the South the loss of her best friend.

The SPEAKER pro tempore. The time of the gentleman from North Carolina has expired.

Mr. PEARSON. Mr. Speaker, my time, as I have already stated, has been gathered from various quarters; but I was to have twenty-five minutes altogether.

The SPEAKER pro tempore. From what source does the gentleman get his time?

Mr. PEARSON. From the very generous gentleman from Indiana [Mr. CRUMPACKER] five minutes, from the very courteous gentleman from Illinois ten minutes, and from my distinguished friend from Indiana [Mr. GRIFFITH] fifteen minutes.

The SPEAKER pro tempore. But neither of the gentlemen from Indiana had any time to give. The debate is being conducted under the order of the House—

Mr. PEARSON. Then I appeal to the sense of fairness of this body. It will be remembered that this morning when I withdrew my opposition to an arrangement then proposed, it was suggested that an arrangement would be made—

The SPEAKER pro tempore. The time is under the control of the gentleman from Illinois [Mr. HOPKINS] and the gentleman from Indiana [Mr. GRIFFITH].

Mr. GROW. As it is now so near time of adjournment, and as no other gentleman probably desires to speak this evening, I suggest that the time of the gentleman from North Carolina be extended ten minutes.

Mr. HOPKINS. I have no objection to that if the time is not taken from our side.

Mr. WILLIAMS of Mississippi. I ask unanimous consent that the gentleman from North Carolina may have in all twenty-five minutes, to be taken equally from the two sides.

Several MEMBERS. That is right.

Mr. OTEY. I desire to know whether that arrangement would extend the time for general debate?

The SPEAKER pro tempore. It would not.

Mr. OTEY. Then, of course, it would have the effect of diminishing the time already allotted to other gentlemen. Therefore I object. I am perfectly willing that the general time be extended fifteen minutes. I ask unanimous consent that the time be so extended that the gentleman may conclude his speech.

The SPEAKER pro tempore. Unanimous consent is asked that the time for general debate be extended fifteen minutes. The Chair hears no objection; and it is so ordered. Unanimous consent is now asked that the gentleman from North Carolina [Mr. PEARSON] may proceed for fifteen minutes longer, the additional time to be taken equally from the two sides. Is there objection? The Chair hears none.

Mr. PEARSON. Mr. Speaker, it seems a pity that a matter of this importance should be put through this body in such haste—in such marked contrast with the process which would be followed in the Senate. This is the best proof that we could have that under the rules of this House we could get along just as well with 600 members as with 357. [Applause.] Whatever the number of members, you can take a man off this floor, you can gag him, you can turn him out of his seat here, without giving him an opportunity to be intelligently and intelligibly heard.

You do not need any better answer to the gentleman from Illinois than the mere fact which we witness now—that it is by begging and pleading and holding up our hands that we are permitted to get a few moments to express incoherently and insufficiently our views on the greatest question that has been presented here at this term.

Mr. GAINES. Did the gentleman vote for the present rules of the House?

Mr. PEARSON. I voted for the rules of the House, and I am glad to say that we have them. We can transact more business

here under those rules in two hours than they can at the other end of the Capitol in ten days.

Mr. GAINES. By gagging everybody?

Mr. PEARSON. And that is the best argument for an increase in the size of the House. Its business is transacted through its committees. The committees are the eyes and ears and arms of this body, as has been stated by Speaker Reed.

Now, when I was so suddenly taken off the floor I was about to say that the bitterness which followed the war and the assassination of President Lincoln was followed in the South by what was known as "the Black Codes." The Black Codes were followed in the North by what was known as the fourteenth amendment. Then came military government, and then the horrors of reconstruction.

Those measures were followed in the South by the secret Kuklux Klan. The Kuklux Klan was suppressed by rigid prosecutions emanating from this end of the line; and then, when the secret organization was suppressed, came the open, bold, unapologetic red-shirt violence of 1876, which captured the State governments. Then came an attempt at a "force bill," which passed this House. What followed? A Democratic majority of 107, I think, immediately.

Then there was a repeal of the last vestige of Federal legislation on the subject of elections. And what followed that? That was done, as the gentleman from Tennessee [Mr. RICHARDSON] knows, by his party in the Fifty-third Congress, and it received the stout and almost solid antagonism of the Republican party, but what was the result? The next House was Republican by over 100 majority, showing that there was a disposition on the part of the people that elections should be regulated by the several States.

But the most important thing in this series of acts and counter-acts, of crimination and recrimination, of taliation and retaliation, if I may be allowed the expression, the most significant fact is a thing that was omitted, and that is that there has been no attempt in three Republican Congresses to reenact any Federal statute on the subject of elections. That is the most significant thing, I believe, that has occurred in six years past.

It means that the leaders of the Republican party have determined to leave to the several States the regulation of the franchise. It does not mean that frauds will be tolerated; it does not mean that unconstitutional enactments will be made and indefinitely allowed; but it does mean that whenever these States in pursuance of the provisions of the Constitution shall so regulate their elections as to bear equally upon all their people, neither this House, this Congress, nor the President is inclined to interfere, and I am glad to recognize that fact.

Instead of appealing to this body for punitive laws or to the President for troops at the polls, I prefer to appeal to the consciences of my people, to the spirit of the old Whigs, which has always been for honesty and liberty, and I want no better proof that this appeal will not be in vain than the petitions now circulating in my State demanding a repeal of these monstrous election laws and signed by Democrats all over the State. I insert below a copy of these petitions; and I know that the fair-minded men of all parties who have signed these demands will not allow them to be denied or ignored.

The race prejudice is a thing which many of our Northern friends here do not understand. It is not an imaginary conception or a fancy. It is a concrete, an obdurate, an inexorable fact. I know it. It is this that has, in my judgment, prevented the South—the old slave South—from giving a solitary electoral vote for the Republican party in these fifteen or twenty years past.

Mr. Speaker, when will there be a President of the United States chosen from the South? It will be after the measure presented in the Crumpacker bill, perfected, based upon a uniform and fair law, has been accepted by the South and race prejudice has been softened or eliminated; not before. I long to see the day when South Carolina will honestly vote the Republican ticket and Vermont will voluntarily go Democratic.

Then we will have a free circulation of the currents of political thought in this country, and until such a day comes there will not be another President elected from the Southern States. And this thought emboldens me, here and now, to appeal to my brethren from the South to recognize the fact that if this measure is now postponed the initiative would properly come from their States—from Louisiana, from North Carolina, from South Carolina, from Mississippi, from Virginia, which will act next month; from Alabama, which will act during the year; and from the others, saying, "Men and brethren, we do not require that our representation here shall be based upon a vacuum. We do not require that the negro vote shall be counted in the basis of enumeration if it is not counted at the ballot-box. We will deliberately surrender a part of our electoral power if we can have peace in our homes. And when fear is banished from our homes, then will come charity to our hearts, then will be the wiping

away of this prejudice which has been the most deterrent force in our affairs."

Why, it is stronger than religion. It is stronger than a man's conception of his oath to the Constitution. It is stronger even than the religion of an Arab. It makes men vote contrary to their sentiments. There is no discussion of economic, or social, or political questions, in the broad sense, in the overshadowing presence of the race issue.

Mr. Speaker, the race prejudice will vanish, but it will take a long time. The solvent of the race problem will be the alchemy of years, the long result of time, carrying with it certain forces which are already at work, which will be constantly at work in the future—first, the gradual but constant acquisition of property by the negro; second, the gradual but constant acquisition of knowledge by the negro; third, the gradual but constant dispersion of the negroes from the congested centers of the South; fourth, the gradual but ever increasing division of the negro vote; and, fifth, more than all that, the accelerating gain of the white population in the matter of its increase as compared with the negroes, which is one of the most interesting questions now before us.

We have a larger natural increase among the whites than among the blacks, but more than that the immigration naturally pouring into this country, almost all of it white, nearly doubles the proportion. And so it will go on gaining from year to year, and in the course of time, under God's providence, that question will be eliminated, and then will come the dawning of a grander day, because I know, and I believe I can speak the sentiments of my friends across the aisle, we are glad that the war between the States ended as it did.

We are glad that slavery was abolished. I take the liberty of saying in this presence that I myself was a slaveholder. As a child 8 years of age I owned slaves. How could I help myself? They came to me by inheritance. They were mine. In the course of my brief lifetime there is such a change of sentiment on that subject of slavery and such an abhorrence now in my own heart and such a feeling against it that I dare say here in this presence and before the world, as God is my judge, that I, once a slaveholder, would rather sell myself this minute than own a slave. [Applause.]

It shows a change, a revulsion, a revolution in sentiment, and I hope to God that on this race question there will be, in the process of time, a change. We are glad that slavery was abolished. We are glad that we have not two flags here on this American continent, not two separate governments with conflicting laws and antagonistic commercial systems. We are glad that we have one flag, one country, one common and splendid destiny.

When we look back to the life of Lincoln, we feel that we are moving on in the course and toward the goal for which he prayed, for which he longed, for which he died; and we are glad at this time, Mr. Speaker, to find a successor to Abraham Lincoln in the White House who has uttered such words as McKinley uttered at Atlanta. He touched the Southern heart when he proposed to take care of the graves of our fathers and brothers who died fighting for a cause that we believed to be right. He touched our hearts when he appointed Lee and the Gordons and Wheeler into our Army to fight for that flag in foreign lands. He is entitled to the thanks of the whole country for his magnanimous course, and he is entitled especially to the thanks of our Southern men, who always appreciate magnanimity. [Applause.]

APPENDIX I.

[From Asheville Daily Gazette, November 14, 1900.]

HOW THE WRONG WAS RIGHTED—VERDICT IN PEARSON VS. CRAWFORD.

In the campaign just ended in this district the paramount issue was the merits of the contest. Mr. Crawford's partisans wore flaming red badges bearing the inscription "Right the wrong." The color indicated wrath, the words expressed the impatient confidence and suppressed vengeance of the manly bosoms on which the ribbons fluttered. The naked returns of the election tell the rest. We give below the official figures in the six rejected precincts, which were the only precincts rejected by the House of Representatives in determining the contest:

Vote in rejected precincts.

Precinct.	1898.		1900.		Republican gain.
	Pearson.	Crawford.	Moody.	Crawford.	
South Waynesville.....	77	313	220	194	262
Ivy, No. 1.....	161	172	250	92	169
Limestone.....	108	136	112	91	49
Old Fort.....	126	187	143	168	36
Black Mountain.....	84	135	101	145	7
Marble.....	21	74	46	84	15
Net Republican gain.....					538

The above figures show that the Republicans gained in every one of the rejected precincts and actually reversed the Democratic majorities in three of them. The result shows to the world that the voters in these rejected precincts did not feel aggrieved, but on the contrary felt rejoiced that the attempted frauds upon their suffrages had been righteously rebuked.

APPENDIX II.

ANALYSIS OF THE CONSTITUTIONAL AMENDMENT AND OF THE ELECTION LAW OF 1899.

[The following article, which was first published on September 24, 1899, received the indorsement of the Republican State executive committee on October 18, as follows: "Resolved, That the thanks of the Republicans of the State are due the Hon. RICHMOND PEARSON for his able and manly letter on the proposed constitutional amendment and the election law, and that the committee indorse the views therein expressed."]

We are midway between the elections of 1898 and 1900. We are far enough removed from the excitement of both struggles to look backward and to look forward calmly and dispassionately. Next year North Carolina will be forced to face the gravest situation which has confronted her since 1860.

Then the question was, Will the State secede from the Union? Now the question is, Will the State violate the fundamental condition on which she was readmitted into the Union. And the Democratic voters will have to decide whether they will break the solemn promise which their chairman and official head made in their name to the people of the State before the last election.

The good faith of a sovereign State and the ancient honor of a great party can not be treated or disposed of lightly; they demand thoughtful, anxious, and reverent consideration.

THE FUNDAMENTAL CONDITION.

In 1868 the people of North Carolina adopted a constitution establishing universal suffrage, and in June of that year the State was readmitted into the Union subject to the fundamental condition that her constitution should never be changed so as to deprive any citizen or class of citizens of the right to vote conferred by that constitution.

That fundamental condition is still in force and will continue in force until the State attempts to break it.

The learned gentlemen who advocate the proposed amendment will not deny that it contravenes the act of Congress in that it will disfranchise some citizens upon whom the suffrage was conferred by the act of 1868.

These learned gentlemen will hardly pronounce the act of Congress unconstitutional because the validity of the reconstruction acts has been adjudicated by the Supreme Court of the United States, the final arbiter, the tribunal of last resort, and the great Judge Cooley, in commenting upon this exercise of Federal power (Cons. Lim., p. 34 n), feelingly observes:

"It suffices for the present to say that Congress claimed, insisted upon, and enforced the right to prescribe the steps to be taken and the conditions to be observed in order to restore these States to their former positions in the Union."

And he expresses the—

"Hope and trust that the occasion for discussing such questions will never arise again."

THE DEMOCRATIC PLEDGE.

In September, 1898, Mr. F. M. Simmons, chairman of the State Democratic committee, issued to the people of the State an address, which was both a promise and a protest, in which he uses these words:

"For the past twenty years or more, just before every election, the Republican speakers, at their midnight meetings, have been in the habit of telling the negro if the Democrats came into power the right to vote would be taken away from them."

"First, they told them if the Democrats got the State government they would disfranchise them. The Democrats got the State government, and did not disfranchise them. Then they told them if the Democrats elected a President they would disfranchise them. The Democrats elected a President, and they did not disfranchise them. Then they told them if the Democrats got control of Congress they would disfranchise them. The Democrats got control of Congress, and did not disfranchise them. All along the honest white men of the State laughed at these lies, and marveled that the negro did not have sense enough to see that he was duped."

"Finally the negro himself began to see through the trick. He had seen the Democrats in full power in the State for twenty-two years, and had learned from experience that that party did not propose to disfranchise him, and he, too, began to laugh at these liars, and finally refused to be frightened by their rot any longer. So the old Republican scarecrow had to be hauled down and put away. * * *

"They know that the Democratic party has always stood for manhood suffrage, and they know that the Democratic party will never, under any circumstances under the sun, consent to the passage of any law which will take from them, however poor and ignorant they may be, the right to vote, or which will in any way diminish or lessen that great privilege."

IT GAINED VOTES.

This promise was so circumstantial, so earnest, so indignant, so plausible, and so fortified by political history that it almost compelled belief; it silenced the warnings of intelligent Republicans and allayed the suspicions of the timid and ignorant and gained votes by the thousands for the Democrats, who actually carried the black district and carried the county of Halifax by 1,500 majority.

And yet, with that promise fresh on his lips, without explanation and without apology, Mr. Simmons himself inaugurates and leads the movement to disfranchise the men he had promised to defend; to sacrifice the victims whom his promise had deluded; to betray the confidence which had gained for him the victory.

It should be borne in mind that the act of the assembly in 1874 calling the constitutional convention required every delegate to that convention to take an oath that they "shall not require or propose any educational qualification for office or for voting."

The proportion, both of negroes and of illiterates, in the State at that time was much greater than it is now. What would be said of the delegates to that convention if they had violated the oath and proceeded to pass the "grandfather clause" and to extol the hereditary instinct of the white man in locating his vote as proven by the hereditary instinct of the setter dog in his God-given faculty of locating the quail?

The only difference between the former case and the present is that there the members took the oath individually and here Mr. Simmons, as chairman, makes the pledge for his party. The sanction and binding force upon the honor and conscience is the same. Our amazement at the course of Mr. Simmons is increased by the following from the Washington Post of last winter:

WHAT SENATOR CAFFERY SAID.

"It was learned yesterday that the action of the North Carolina legislature in regard to a constitutional provision for the restriction of suffrage was largely based upon a visit made to this city by several leading North Carolina Democrats. Among others to whom the delegation talked was Senator CAFFERY, of Louisiana, and the Louisiana plan has been accepted by the North Carolinians. It provides that a voter whose father and grandfather voted in any State prior to January 1, 1867, shall be exempt from the property and educational qualifications prescribed in the other articles of the State constitution."

This means, of course, that it disfranchises the negro.

"At the same time Senator CAFFERY, as he said yesterday, was very frank to inform the delegation that he did not regard the provision as constitutional. 'It creates a privileged class,' he said, 'and I told the people of my State that it would not stand a test when they adopted it. If the legislature of North Carolina has accepted the same provision, I believe that they will find their work undone for them as soon as the matter is brought before the United States Supreme Court.'"

Notwithstanding this advice of Senator CAFFERY, in which his colleague, Senator MCENERY, formerly chief justice of Louisiana, fully concurs, and in which the Post says every "jurisconsult" in the land concurs, most of the learned gentlemen in North Carolina who have favored the public with their views in advocacy of the amendment start out by "assuming" the constitutionality of the measure. In the light of the decisions of our Supreme Court reviewing the political acts of the present legislature the impartial layman would be justified in assuming quite the reverse, because the court has been overruling these acts in almost every instance.

It is amazing that the learned advocates of this measure—men of excellent and approved common sense, who avow their purpose boldly—should fancy that they have successfully concealed that purpose in a periphrastic form of definition.

The ostrich on the desert, with his head in the sand and his body exposed, is the only bird which concludes that he is successfully concealed in that interesting attitude and that nobody can see him because he can see nobody.

PROMISE MADE TO BLACKS AND WHITES.

Mr. Simmons's antelection promise was made with equal force and with equal solemnity to black illiterates and to white illiterates.

He now promises with great vehemence of expression and mysterious rolling of the eye that he will not disfranchise any white man, "however poor and ignorant."

These men, whose ignorance is largely due to the neglect of the State, will naturally inquire whether a person who breaks a promise to a black man can be trusted to keep a promise to a white man, and, further, to inquire in what code of morals the color of the promise impairs the obligation of the promise, and, further, to inquire if in the court of conscience and of honor the helplessness of the promisee and his inability to enforce performance does not increase rather than diminish the sanction of the promise.

These illiterate whites, before risking their salvation to Mr. Simmons, will be moved further to inquire at what particular point in his lively career did Mr. Simmons evince his special regard for the rights of the "poor and ignorant" white man. If they go back to 1886 they will find that Mr. Simmons disfranchised some 2,000 voters in Vance and Warren counties, not so much on the ground of color as because they had voted against Mr. Simmons for Congress.

And if they go back to 1892 they will find that Mr. Simmons, operating under the decision of Harris vs. Scarborough, disfranchised 49,000 voters, not on account of color, but because their names were not written in the registration books with sufficient fullness and particularity to suit the refined, critical, and exacting taste of Mr. Simmons.

And they will find that the Federal House of Representatives, containing a majority of Democrats, overruled Mr. Simmons's scheme of disfranchisement in the case of Williams vs. Settle, and that the people made haste in 1894 to overthrow Mr. Simmons at the polls, and the Supreme Court effectively suppressed his methods by their ruling in Quinn vs. Lattimore. In spite of all this, though slightly disfigured and somewhat discredited, here he comes again, still unabashed, asking poor and ignorant men to trust his naked promises and to accept his constitutional views, which have been tried and found wanting, tested and tattered and shattered by the people, the courts, and the Congress.

SEPARATE LOCAL GOVERNMENTS.

I take the liberty of saying that I am opposed to negro domination and have never feared such domination since Halifax became the banner Democratic county of the State.

I heartily indorse the act of the present legislature, chapter 488, entitled "An act to restore good government to the counties of North Carolina," which gives certain counties in the east a separate form of government. I advocated a similar measure in the legislature of 1897, and I insisted upon section 5, chapter 133, of the laws of 1895—in fact, wrote the original draft of the section providing for bipartisan boards of commissioners in certain contingencies. The aim and the effect of this provision has been to safeguard the financial interests of these counties and render impossible incompetent or corrupt control by either blacks or whites.

In my judgment this separate county government law makes the proposed amendment wholly unnecessary.

SUMMARY OF REASONS.

I now submit, without fear of argument, a summary of my reasons for opposing the amendment:

1. I am opposed to it because I am convinced that it conflicts with the Federal Constitution.
2. I am opposed to it because I know and its advocates do not deny that it violates the act of Congress by which the State was readmitted into the Union.
3. I am opposed to it because I, along with every registered voter in the State, have taken an oath to support the Constitution and laws of the United States, and I can not violate the law which readmitted the State without violating my oath.
4. I am opposed to it because I can not accept the invitation of its most eloquent advocate "to sink my conscience for the public good." I deny the possibility of promoting public good by sinking private conscience.
5. I am opposed to it because it requires payment of poll tax as a prerequisite to voting, and this will unavoidably increase corruption in politics.
6. I am opposed to it because it will disfranchise all or none of the illiterates, both black and white. If it disfranchises none, it will be a useless and mischievous agitation. If it disfranchises all, it will be an act of cruelty and perfidy without parallel.
7. I am opposed to it because, instead of eliminating forever the negro question, if it is literally construed and strictly enforced it must leave the ballot in the hands of 54,000 negroes, 40,000 who can read and 14,000 half-breeds, mulattoes, and quadroons, while it will take away the ballot from the humble, docile, and inoffensive black in the country who live on the farms and are voting more and more with the men whose lands they till, if kindly treated by their landowners.
8. I am opposed to it because it is not needed in the East, where separated local governments are already established, and because it is not wanted in the West by either Democrats or Republicans.
9. I am opposed to it because under the best construction its operation will be a failure and under the worse construction its operation will be a crime.
10. I am opposed to it because I believe the more completely we treat the negro as a brute without rights the more completely he will act as a brute without obligation, and because I believe that it is dangerous to the law and order, peace and progress of the State to have within her borders a great body of men without master, without protection, without guide, without

hope, without higher restraint than the fear of punishment, and without higher incentive than the pangs of hunger and thirst.

NEW ELECTION LAW VOID.

Our new election law is the product of a cross between the Goebel law of Kentucky and the Tillman law of South Carolina.

The child bears a striking resemblance to both parents. The human part of our machine is drawn from Goebel, the mechanical part is drawn from TILLMAN; but the worst parts are drawn from the brain of the author, who stands, like an acrobat, with one foot on Goebel's shoulder, the other on TILLMAN's shoulder, and performs feats of daring which outclass his supporters and place him deservedly in the rank of Machiavelli.

The origin of our law is seen by a glance at the following parallel:

GOEBEL ELECTION LAW.

SEC. 1. The general assembly shall at its present session elect three commissioners, who shall be styled "The State board of election commissioners."

SEC. 2. Said State board of election commissioners shall annually, not later than the month of September, appoint three election commissioners for each county, who shall be styled "The county board of election commissioners."

SEC. 3. Said county board shall annually, not later than the month of October, appoint for each election precinct in the county two judges, one clerk, and one sheriff of election to act as such in their precinct.

SIMMONS ELECTION LAW.

SEC. 4. That there shall be a State board of elections consisting of seven discreet persons, who shall be electors, elected by the general assembly at its present session.

SEC. 5. That there shall be in every county in the State a county board of elections, to consist of three discreet persons who are electors in the county in which they are to act, who shall be appointed as hereinafter provided by the State board of elections.

SEC. 7. That it shall be the duty of the county board of elections in each county to appoint all registrars and judges of election in their respective counties.

WATTERSON DESCRIBES THE GOEBEL LAW.

The Courier-Journal, in an editorial written by Henry Watterson himself, said of it:

"The people may well stand aghast before the revolutionary election bill which has, like some dread monster, suddenly emerged from the fastness of passion and error through which the legislature has been threading its tortuous way.

"It is safe to say that the annals of free government will be sought in vain for anything approaching it in shameless effrontery and unconcealed deformity. The records of reconstruction furnish nothing to compare with it. The Brownlow despotism at its worst ventured upon nothing so boldly, wholly bad as this.

"In all the force bills meditated by the radicals in Congress during the days of reconstruction there were discernible some pretense or pretext, some lingering memory of republican instincts and traditions. Even in the plebeian of Louis Napoleon there was the outward display of a just electoral process and purpose.

"This force bill gives the voters of Kentucky not a ray of hope. It makes no claim or show of fairness. It places exclusively in the hands of three irresponsible persons, to be named by the authors of the measure itself, the entire electoral machinery of the State. That is the whole of it. In one word and at one fell swoop Kentucky is to become the subject of a triumvirate which is to decide who shall hold office and who shall not."

THE NEW LAW.

Mr. Simmons appears to have overlooked one great truth in toxicology—that a grain of poison will kill the victim, but an ounce of the same poison will so shock the stomach that it will be rejected. Dr. Simmons has administered an overdose. The act, chapter 507, laws of 1899, entitled "An act to regulate elections," is unconstitutional and void because:

1. It requires an educational qualification.
 2. It virtually requires the payment of a poll tax.
 3. It confers arbitrary powers upon the registrars and judges of election.
 4. It denies the fundamental rights of man.
- Ever since the Halifax convention, that is to say, during a period of one hundred and twenty-four years, every election law in force in North Carolina has made it the duty of the judges of election to deposit the ballots in the proper ballot boxes.

Now, for the first time in the State's history, this provision is significantly omitted, and the voter must deposit his own ballot, and if he puts it in the wrong box, the ballot is void.

ANOTHER REQUIREMENT.

There are not less than five boxes in a general election. Therefore in order to exercise the right of suffrage the voter must be able to read the labels on the different boxes.

This requirement conflicts with article 6, section 1, of our constitution, and is therefore void.

The law, section 11, requires the registrar to ask the applicant for registration:

"Whether he has listed for taxation his poll tax for the current year in which he proposes to register and for the year next preceding, if liable to pay a poll tax."

And further, the same section provides:

"That if any applicant for registration who is permitted to register shall confess upon his examination under oath at the time he is admitted to registration that he has not listed his poll for taxation for the current year in that year, or if he shall admit that the time of his said application is after the time fixed by law for listing taxes, or did not list his poll for taxation for the year next preceding, it shall be the duty of the registrar to certify said fact or facts to the clerk of the superior court of his county, and the said clerk shall hand such certificate to the solicitor for the district at the next term of the superior court, and the solicitor shall, without delay, draw and send to the grand jury a bill of indictment against such elector so registering for failure to list his poll tax."

INDICTMENT OF VOTERS.

The law says to the voter, "If you vote without listing your poll tax, you shall be indicted."

It is idle to contend that this does not make the listing of the poll for taxation a prerequisite to voting. Where is the man who will stand an indictment in order to enjoy the luxury of voting?

This requirement of the law is in conflict with Article VI, section 1, of our constitution, and is therefore void.

In Van Bokkelen vs. Canaday (73 N. C. R., p. 222), the court declares: "The general assembly can not in any way change the qualifications of voters in State, county, township, city, or town elections."

And in Railroad vs. Commissioners (72 N. C. R., p. 492).

The constitution defines who are the qualified voters of a county (Art. VI, sec. 1); and the legislature can not change the qualifications.

In the law which we are considering the legislature has attempted to force upon the people the very qualifications on which they have invited the peo-

ple to pronounce judgment in the form of a constitutional amendment. They attempt to put into operation tests of the right of suffrage before such tests have been adopted by the people.

This is condemning a man first and trying him afterwards.

3. After the intending voter has proved his qualifications with the most stringent particularity by the oath of two other voters, and, in addition thereto, has himself taken the prescribed oath, we find in section 22 the following:

"Provided, That after such oath shall have been taken the registrars and judge may nevertheless refuse to permit such person to vote, unless they can be satisfied that he is a legal voter."

In other words, after the applicant has furnished all the proof required by the law he may nevertheless be rejected and disfranchised by the arbitrary decision of the registrar and judge.

In the case of *Van Bokkelen vs. Canada* (73 N. C. R., p. 229), Judge Rodman says:

"The right to vote is property, and no man can be deprived of it 'but by the law of the land,' and the arbitrary will of the registrar is not 'the law of the land' in the well-settled meaning of the bill of rights."

THE MASTER STROKE.

4. We now come to the master stroke.

Section 23 provides:

"That a space of not more than 50 feet in every direction from the polls or the room in which the election is held may be kept open and clear of all persons except the election officers herein provided, which space may be railed or roped off, with a narrow passage leading to and from the polls."

"After the elector has entered the passage no one except the registrar or judges of election or challengers hereinafter provided for shall be permitted to speak to him or make any signs to him, nor shall he be permitted to speak or make any signs to anyone except the registrar or judge of election."

What is the meaning and the object of this most extraordinary provision? Remember that the law takes away from the judges the duty of "carefully depositing the ballot in the ballot box" and repeals the former law declaring that "a ballot found in the wrong box shall be presumed to have been put there by mistake;" that section 29, the new law, declares "if a ballot be found in the wrong box, it shall not be numbered, but shall be void," so that the voter must deposit his ballot with his own hand and take the chances of getting it in the right box or of losing his vote. The educated man can read the labels on the boxes, but the illiterate man, black or white, is helpless in this respect, so that this monstrous provision is aimed exclusively at the ignorant man, and the purpose in denying him the right of asking questions or making signs is to increase the chances of his hitting the wrong box. The law thus becomes an active partner in the cheating, and the State, which has neglected to educate her children, is put in the attitude of mocking their misfortune and of adding to their helplessness. Mind you, the victim in the narrow passage is a white man and a Democrat; he holds in his hand a ballot "Against amendment;" his executioners are two partisan Democrats and one pretended Republican, all favoring the amendment. They tell him to "vote lively and pass along;" he drops his ticket into the legislative box and it is lost and he is disfranchised. Mr. Simmons, is this the "poor and ignorant white" man whom you have promised to protect? Is this law the best proof you can give of your devotion to his rights and interests?

THE RIGHTS OF VOTERS IGNORED.

Do you pretend that this provision will be enforced in the east but not in the west? The answer is:

"All regulations of the election franchise, however, must be reasonable, uniform, and impartial. They must not have for their purpose, directly or indirectly, to deny or abridge the constitutional right of citizens to vote or unnecessarily to impede its exercise; if they do, they must be declared void." (Cooley Cons. Lim., p. 602.)

So that your law must be uniform or it will be declared void. The right to establish separate local governments in the different counties comes from the express grant of power in section 14, Article VII, of the constitution, but Article VI on suffrage contains no such authority.

Mr. Simmons must know that our mountain people, Democrats as well as Republicans, will resent the operation of section 23 of the election law. Men who cherish the memories of Kings Mountain and Mecklenburg will not permit themselves to be driven into a slaughter pen like dumb brutes and denied the right "to speak or make signs;" they will not permit the act of voting, which they have regarded as an act of pride and dignity, to be converted into an act of personal humiliation and shame.

You might just as well require them to crawl through the narrow passage on their all fours, sprinkle dust on their heads, and thus offer the "grand salam" to your election bailiffs.

You might just as well deny the right of a lost traveler to ask which is the right road as deny to the bewildered voter the right to ask which is the right box.

The law, in denying the fundamental rights of the citizen and the natural rights of man, is in conflict with our bill of rights, and is therefore void.

Mr. Simmons, have you never read these words of Chatham:

"The poorest man may in his cottage bid defiance to all the forces of the Crown. It may be frail, its roof may shake, the wind may blow through it, the storm may enter, the rain may enter, but the King of England may not enter. All his force dare not cross the threshold of the ruined tenement."

And I am bold enough to tell you that the force of all your election bailiffs dare not invade the constitutional rights of the poorest illiterate white man in these mountains.

RICHMOND PEARSON.

APPENDIX III.

PETITION FOR AMENDMENT OF EXISTING ELECTION LAW.

To the honorable the General Assembly of North Carolina:

The undersigned citizens and voters of North Carolina respectfully and humbly petition your honorable body to amend the existing election law in the following particulars, to wit:

First. That sections 88 and 89 be repealed, so as to restore the functions which have belonged to the judiciary since the foundation of our Government.

Second. That the registrars shall be required before entering upon their duties to take an oath to discharge honestly and impartially the duties of their office.

Third. That the judges of election shall carefully deposit the ballots in the proper ballot boxes, and that ballots found in the wrong box, if the poll list shows that such ballots have been honestly cast, but misplaced, shall not be void, but shall be counted according to the manifest will of the voter.

Fourth. That any officer of election who knowingly and willfully commits fraud shall be guilty of a misdemeanor and upon conviction shall be punished by fine and imprisonment.

Fifth. That one member of each county board of elections shall be of a

different political party from that of the other two members of the board. And the judges of election, chosen under section 17 of the existing law to represent the minority party, shall be selected from a list of names of honest and competent men presented to the several county boards of election by the chairman of the county executive committee representing such minority party.

Sixth. That in passing upon the qualifications of an elector the officers of election shall be bound by the ordinary and long-established rules of evidence.

We respectfully submit that these demands are reasonable, that they are founded upon manifest principles of justice, and are essential to the honest expression of the popular will, the foundation stone of a republican form of government.

APPENDIX IV.

LETTER OF EXPLANATION TO ACCOMPANY THE PETITION.

DEAR SIR: The demands set forth in the accompanying petition are so simple and reasonable that an explanation seems hardly necessary. As the constitutional amendment goes into effect before the date of the next general election, there can be no honest excuse, even among partisans, to refuse to allow the voters who may still be entitled to vote a reasonably fair expression of their will, and it is confidently believed that thousands of fair-minded Democrats will join in the effort to secure this result and sign the petition for that purpose.

The first demand, if granted by the legislature, simply restores to the courts the right to issue writs of mandamus and injunction in cases where election officers refuse to do their duty or openly violate their duty. These great writs have never heretofore been suspended in North Carolina in time of peace.

The second demand simply requires the registrars to take an oath to discharge their duty honestly and impartially. No officer will refuse to take an oath unless he intends to commit a fraud.

The third demand requires the judges to deposit the ballots in the proper ballot box. This law has been upon our statute books for one hundred and twenty-three years—in fact, ever since the formation of the State. But it was repealed by the legislature of 1899, and in many places during the August election the voters were required to deposit their own ballots, and of course the illiterate voters were thus subjected to an unconstitutional test. The people of Transylvania County lost the representative of their choice solely because the judges of election of Brevard required the voters to deposit their own ballots, which in many instances went into the wrong box and were thus destroyed as completely as if they had been cast in the fire. The honest men of North Carolina will not submit to the permanent enforcement of this unjust, cruel, and unconstitutional provision, but will eagerly join in the demand for its repeal.

The fourth demand simply provides that an election officer who willfully commits fraud shall be punished. Who will deny the manifest justice of this demand?

The fifth demand provides for minority representation on the county and precinct boards of election, and requires that the officers who are chosen to represent the minority party shall be honest and competent, instead of being corrupt and illiterate, as many of them confessedly were at the August election. Republicans would naturally prefer to select an honest Democrat as their representative rather than a dishonest Republican.

The sixth demand simply requires that the election officers, in passing upon the qualifications of electors, and as such acting in a judicial capacity, shall be bound by the same rules of evidence as would govern superior court judges in discharging their functions.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed joint resolution of the following title; in which the concurrence of the House was requested:

S. R. 145. Joint resolution authorizing the Secretary of War to grant permits to the executive committee on inaugural ceremonies for use of reservations or public spaces in the city of Washington on the occasion of the inauguration of the President-elect, on March 4, 1901, etc.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows.

To Mr. HEATWOLE, for one week, on account of sickness.

To Mr. BUTLER, until Thursday next, on account of sickness in his family.

To Mr. SMITH of Illinois, for ten days, on account of important business.

CHANGE OF REFERENCE.

By unanimous consent, the Committee on Invalid Pensions was discharged from the further consideration of the bill S. 812, and the same was referred to the Committee on Military Affairs.

And then, on motion of Mr. HOPKINS (at 5 o'clock and 10 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Brazos River, Texas—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Commissioner of Internal Revenue submitting draft of a bill for paying the claim of P. A. McLain—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Postmaster-General submitting an estimate of appropriation for pneumatic-tube service—to the

Committee on the Post-Office and Post-Roads, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact in the case of William F. Taylor, administrator of Cassandra S. Price, deceased, against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, relating to the relief of the Fourth Arkansas Mounted Infantry—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Architect submitting an estimate of appropriation for continuing work on the post-office and court-house building in Chicago—to the Committee on Appropriations, and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 13168) for the relief of Christian Clisewaner—Committee on Invalid Pensions discharged, and referred to the Committee on War Claims.

A bill (H. R. 13287) granting a pension to Carrie Le Baron—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. KAHN: A bill (H. R. 13301) prohibiting and regulating the coming of Chinese persons into the United States—to the Committee on Foreign Affairs.

By Mr. RUSSELL: A bill (H. R. 13302) to encourage the exportation of manufactured articles of which domestic alcohol is a constituent—to the Committee on Ways and Means.

By Mr. LOVERING: A bill (H. R. 13303) to make the currency responsive to the varying needs of business at all seasons and in all sections—to the Committee on Banking and Currency.

By Mr. MINOR: A bill (H. R. 13304) to provide for the disposition of useless papers in the Executive Departments—to the Committee on Disposition of Useless Papers in the Executive Departments.

By Mr. MANN: A bill (H. R. 13305) to provide for the erection of a bronze equestrian statue of the late Brig. Gen. Count Casimir Pulaski at Washington, D. C.—to the Committee on the Library.

By Mr. McCALL: A bill (H. R. 13306) providing for additional appointments to United States Naval Academy—to the Committee on Naval Affairs.

By Mr. RIXEY: A bill (H. R. 13307) to provide for the rebuilding of the Aqueduct Bridge, in the District of Columbia—to the Committee on the District of Columbia.

By Mr. RAY of New York: A bill (H. R. 13308) to amend an act approved August 13, 1894, entitled "An act for the protection of persons furnishing materials and labor for the construction of public works"—to the Committee on the Judiciary.

By Mr. ADAMSON: A bill (H. R. 13309) to amend section 19 of chapter 252, 29 Statutes at Large, approved May 28, 1896—to the Committee on the Judiciary.

Also, a bill (H. R. 13310) to amend section 3296, Revised Statutes of the United States—to the Committee on Ways and Means.

By Mr. LAMB (by request): A bill (H. R. 13332) for the relief of holders and owners of certain District of Columbia special-tax scrip—to the Committee on the District of Columbia.

By Mr. SMALL: A bill (H. R. 13366) authorizing an additional survey of an inland water route from Norfolk, Va., to Beaufort Inlet, North Carolina—to the Committee on Rivers and Harbors.

By Mr. GROUT: A resolution by the general assembly of the State of Vermont, praying for proper recognition of and reward for the extraordinary service of Capt. Charles E. Clark, in command of the battle ship *Oregon* during the late Spanish war—to the Committee on Naval Affairs.

By Mr. WEEKS: A resolution of the house of representatives of the State of Michigan, indorsing the Grout bill—to the Committee on Agriculture.

By Mr. SOUTHARD: A concurrent resolution (H. C. Res. 65) to print 6,000 additional copies of the Report of the Director of the Mint on the production of the precious metals for the calendar year 1899, and to print 8,000 copies of the Report of the Director of the Mint covering the Operations of the Mints and Assay Officers for the fiscal year ending June 30, 1900—to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BANKHEAD: A bill (H. R. 13311) for the benefit of the legal representatives of Asbury Dickens—to the Committee on Claims.

By Mr. BARBER: A bill (H. R. 13312) granting a pension to Albert Foster—to the Committee on Invalid Pensions.

By Mr. CAPRON: A bill (H. R. 13313) for the relief of the heirs and legal representatives of Peter Rubadeau—to the Committee on Claims.

By Mr. DAVIS: A bill (H. R. 13314) granting an increase of pension to Orville E. Campbell—to the Committee on Invalid Pensions.

By Mr. DOVENER: A bill (H. R. 13315) for the relief of Gideon C. Corley—to the Committee on Claims.

Also, a bill (H. R. 13316) to restore to the pension rolls the name of Andrew C. Smith—to the Committee on Pensions.

By Mr. FORDNEY: A bill (H. R. 13317) granting an increase of pension to Frederick N. Hopkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13318) granting an increase of pension to Mary J. Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13319) granting an increase of pension to Elizabeth Babcock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13320) to increase the pension of Lambert Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13321) granting a pension to John Wallace—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13322) granting a pension to Hannah Waldron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13323) for the relief of Almon McNinch—to the Committee on Military Affairs.

Also, a bill (H. R. 13324) amending the record of Frederick Soloten—to the Committee on Military Affairs.

Also, a bill (H. R. 13325) granting an honorable discharge to Frank Paul—to the Committee on Military Affairs.

Also, a bill (H. R. 13326) to correct the record of Frederick Stewart—to the Committee on Military Affairs.

By Mr. GIBSON: A bill (H. R. 13327) granting a pension to James Davis—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: A bill (H. R. 13328) granting a pension to Catharine Wallis—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 13329) granting a pension to Grotius N. Udell—to the Committee on Invalid Pensions.

By Mr. HENRY of Mississippi: A bill (H. R. 13330) for the relief of Mrs. Kate Skipwith Lemman, Hinds County, Miss.—to the Committee on War Claims.

By Mr. JACK: A bill (H. R. 13331) granting a pension to Joseph Nelson—to the Committee on Invalid Pensions.

By Mr. NEEDHAM: A bill (H. R. 13333) extending Letters Patent No. 293740, issued to Isaac S. Hyatt, for seven years from February 19, 1901—to the Committee on Patents.

By Mr. OTEY: A bill (H. R. 13334) for the relief of the State Savings Bank of Roanoke, Va.—to the Committee on Claims.

By Mr. O'GRADY: A bill (H. R. 13335) to remove the charge of desertion from the military record of William H. Battelle—to the Committee on Military Affairs.

By Mr. RICHARDSON of Tennessee: A bill (H. R. 13336) to compensate Sophie Kosack for injuries sustained and reward her for bravery displayed in rescuing the imperiled in the "Old Ford's Theater" disaster—to the Committee on Claims.

By Mr. RUPPERT: A bill (H. R. 13337) for the relief of Phillip Hague—to the Committee on Claims.

By Mr. RICHARDSON of Alabama: A bill (H. R. 13338) for the relief of Thomas H. Streeter—to the Committee on War Claims.

Also, a bill (H. R. 13339) for the relief of the heirs of George W. Hughes—to the Committee on War Claims.

Also, a bill (H. R. 13340) for the relief of Margret L. Watkins—to the Committee on War Claims.

Also, a bill (H. R. 13341) for the relief of Charity Boyed—to the Committee on War Claims.

Also, a bill (H. R. 13342) for the relief of Robert D. Cox—to the Committee on War Claims.

Also, a bill (H. R. 13343) for the relief of the heirs of John Pettipool—to the Committee on War Claims.

Also, a bill (H. R. 13344) for the relief of the heirs of Josiah Springer—to the Committee on War Claims.

Also, a bill (H. R. 13345) for the relief of Mrs. W. E. Trousdale—to the Committee on War Claims.

Also, a bill (H. R. 13346) for the relief of Mrs. W. R. Britton—to the Committee on War Claims.

Also, a bill (H. R. 13347) for the relief of the heirs of John Wilson—to the Committee on War Claims.

Also, a bill (H. R. 13348) for the relief of the heirs of Rebecca Haley—to the Committee on War Claims.

Also, a bill (H. R. 13349) for the relief of the heirs of Moses Wright—to the Committee on War Claims.

Also, a bill (H. R. 13350) for the relief of the heirs of Stewart Wilson—to the Committee on War Claims.

Also, a bill (H. R. 13351) to place the name of Sandy Crawford on pension roll—to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 13352) for the relief of officers and men who suffered loss of all personal property by the storm at Galveston—to the Committee on Military Affairs.

By Mr. HENRY C. SMITH: A bill (H. R. 13353) granting an increase of pension to Joseph Gregory—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13354) granting an increase of pension to James Brown—to the Committee on Invalid Pensions.

By Mr. SNODGRASS: A bill (H. R. 13355) granting a pension to Dock Brackin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13356) increasing pension of Hezekiah E. Burchard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13357) granting pension to Hardy Shadwick, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13358) granting a pension to Martin Dis-mukes—to the Committee on Pensions.

By Mr. SMITH of Kentucky (by request): A bill (H. R. 13359) for the relief of Benjamin F. Lutman—to the Committee on War Claims.

Also (by request), a bill (H. R. 13360) for the relief of Dennis Pride—to the Committee on War Claims.

Also (by request), a bill (H. R. 13361) for the relief of Alderson T. Keen—to the Committee on War Claims.

Also (by request), a bill (H. R. 13362) for the relief of Columbus B. Allen—to the Committee on Invalid Pensions.

By Mr. SPIGHT: A bill (H. R. 13363) for the relief of the estate of William Parker—to the Committee on War Claims.

By Mr. TOMPKINS: A bill (H. R. 13364) to refer the claim of Louis A. Guerber to the Court of Claims—to the Committee on Claims.

Also, a bill (H. R. 13365) for the relief of Nancy Rose, light-house keeper—to the Committee on Interstate and Foreign Commerce.

By Mr. GILLET of New York: A bill (H. R. 13367) removing the charge of desertion from the military record of Gilbert Moore—to the Committee on Military Affairs.

By Mr. GRAFF: A bill (H. R. 13368) for the relief of John I. Craig, heir of Johnston Craig, deceased—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BABCOCK: Resolutions of the Baptist Church, Congregational Church, and Methodist Church of Bloomington, Wis., favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. BINGHAM: Resolutions of the Philadelphia County (Pa.) Medical Society, urging favorable legislation for the medical department of the Army—to the Committee on Military Affairs.

Also, resolutions of the National Wholesale Druggists' Association, opposing the free distribution of medicinal remedies—to the Committee on Agriculture.

Also, resolution of the Thirty-fourth Annual Encampment of the Grand Army of the Republic, commending the work accomplished by the Gettysburg National Park Commission and asking for further appropriation to complete the work—to the Committee on Appropriations.

By Mr. BOUTELL of Illinois: Petition of Mrs. G. P. Fisher and other citizens of Chicago, Ill., for the relief of Pima and Papago Indians—to the Committee on Indian Affairs.

Also, petition of Mrs. Merriam Timolat and other women of Minneapolis, Minn., in favor of an amendment to the Constitution against polygamy—to the Committee on the Judiciary.

Also, petition of the Smith-Wallace Shoe Company and other business firms of Chicago, Ill., for the repeal of the tax of 15 per cent ad valorem on imported hides—to the Committee on Ways and Means.

By Mr. BROMWELL: Petition of the board of trustees, commissioners of waterworks, Cincinnati, Ohio, for the defeat of a bill granting an extension of patent to I. S. Hyatt—to the Committee on Patents.

Also, petition of A. B. Ratterman & Sons and other manufacturers of Cincinnati, Ohio, praying for the removal of the duty on hides—to the Committee on Ways and Means.

By Mr. COONEY: Petition of E. L. Weaver, administrator of the estate of Felix B. Weaver, late of Greene County, Mo., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. ESCH: Resolutions of the Department of Pennsylvania,

Grand Army of the Republic, commending the work already accomplished on the National Military Park at Gettysburg, and asking that continued aid be given thereto—to the Committee on Appropriations.

By Mr. FITZGERALD of Massachusetts: Resolutions of the Massachusetts State Board of Trade, favoring Senate bill No. 727, known as the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the National Association of Agricultural Implement and Vehicle Manufacturers, Chicago, Ill., favoring legislation in regard to irrigation of public lands, surveys, etc.—to the Committee on Appropriations.

Also, resolutions of Good Roads Convention, held in Chicago, Ill., asking for an appropriation of \$150,000 for the office of Public Road Inquiry—to the Committee on Agriculture.

By Mr. GIBSON: Paper to accompany House bill granting a pension to George Owens—to the Committee on Invalid Pensions.

Also, paper to accompany House bill granting a pension to William Cooper—to the Committee on Invalid Pensions.

By Mr. GRAFF: Petition of John I. Craig, heir of Johnston Craig, deceased, late of the State of Illinois, for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. GREENE of Massachusetts: Resolutions of the Boston Paper Trade Association, favoring reciprocal trade relations with Canada—to the Committee on Ways and Means.

By Mr. GRIFFITH: Paper to accompany House bill No. 12440, granting an increase of pension to William Brown—to the Committee on Invalid Pensions.

Also, statement of Milo J. Bowan, guardian, to accompany House bill granting an increase of pension to Catharine Wallace—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 13079, granting a pension to Elymas F. Wilkins—to the Committee on Invalid Pensions.

Also, petition of J. L. Vinson and 36 other members of the Epworth League, of Brownstown, Ind., favoring uniform marriage and divorce laws and certain other measures—to the Committee on the Judiciary.

Also, petition of employees of the Bureau of Animal Industry, for increase of salaries and other measures—to the Committee on Agriculture.

By Mr. GROUT: Petition of Granite Polishers' Union No. 8642, of Barre, Vt., favoring the passage of House bills 6882 and 5450—to the Committee on Labor.

By Mr. HOFFECKER: Resolutions of Pomona Grange of Kent County, Del., favoring the election of United States Senators by direct vote of the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. HOPKINS: Petition of Post No. 468, of Downers Grove, Grand Army of the Republic, Department of Illinois, favoring the passage of a graded service-pension bill—to the Committee on Invalid Pensions.

By Mr. JACK: Petition of Cyrus Stouffer and other citizens of Blairsville, Pa., to accompany House bill granting an increase of pension to Joseph Nelson—to the Committee on Invalid Pensions.

By Mr. LITTAUER: Petitions of the Presbyterian churches of Mayfield and Johnstown, N. Y., and Methodist Episcopal Church of Moira, N. Y., to ratify treaty between civilized nations relative to alcoholic trade in Africa—to the Committee on Alcoholic Liquor Traffic.

By Mr. O'GRADY: Papers to accompany House bill to remove the charge of desertion from the military record of William H. Battelles—to the Committee on Military Affairs.

By Mr. OTEY: Petition of F. A. Barnes to accompany House bill for the relief of the State Savings Bank of Roanoke, Va.—to the Committee on Claims.

By Mr. OVERSTREET: Petition of the Hendricks-Vance Company and other business firms of Indianapolis, Ind., for the repeal of the tax of 15 per cent ad valorem on imported hides—to the Committee on Ways and Means.

By Mr. RICHARDSON of Alabama: Papers to accompany House bill for the relief of the estate of George W. Hughes—to the Committee on War Claims.

Also, papers to accompany House bill for the relief of Thomas H. Streater—to the Committee on War Claims.

Also, papers to accompany House bill to place the name of Sandy Crawford on the pension roll—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Indiana: Petition of Henry Krich, of Monroeville, Ind., against the establishment of the parcels-post system—to the Committee on the Post-Office and Post-Roads.

By Mr. RYAN of New York: Petition of Leander Frost and 6 citizens of Buffalo, N. Y., to accompany House bill No. 13282, correcting the military record of the said Leander Frost—to the Committee on Military Affairs.

By Mr. STEELE: Petition of J. E. Larimer and 21 other internal-revenue gaugers, storekeepers, etc., of the Sixth Congressional district of Indiana, asking for an increase of pay—to the Committee on Ways and Means.

By Mr. SMITH of Kentucky (by request): Papers to accompany House bill granting a pension to Columbus B. Allen—to the Committee on Invalid Pensions.

By Mr. SNODGRASS: Papers to accompany House bill granting a pension to Dock Brackin—to the Committee on Invalid Pensions.

Also, paper to accompany House bill granting a pension to Hardy Shadwick, jr.—to the Committee on Invalid Pensions.

Also, paper to accompany House bill granting an increase of pension to Hezekiah E. Burchard—to the Committee on Invalid Pensions.

By Mr. SPRAGUE: Resolutions of the Boston Paper Trade Association, favoring reciprocal trade between United States and Canada—to the Committee on Ways and Means.

By Mr. STEVENS of Minnesota: Petition of Minneapolis Chamber of Commerce against the passage of House bill No. 1439, amending the act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. THOMAS of Iowa: Petition of citizens of Sheldon, Iowa, in favor of the passage of a service pension bill—to the Committee on Invalid Pensions.

By Mr. WEEKS: Petitions of George W. Plough life-saving crews of Thunder Bay Island, favoring bill to promote efficiency of Life-Saving Service—to the Committee on Merchant Marine and Fisheries.

By Mr. JAMES R. WILLIAMS: Paper to accompany House bill for the relief of Sarah A. Tanquary—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for the relief of Thomas Sheridan—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for the relief of Millia Williams—to the Committee on Invalid Pensions.

By Mr. ZIEGLER: Petition of citizens of the Nineteenth Congressional district of Pennsylvania, favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

SENATE.

TUESDAY, January 8, 1901.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

ELECTORAL VOTES OF KENTUCKY AND MINNESOTA.

The PRESIDENT pro tempore laid before the Senate two communications from the Secretary of State, transmitting certified copies of the final ascertainment of the electors for President and Vice-President appointed in the States of Kentucky and Minnesota; which, with the accompanying papers, were ordered to lie on the table.

STATUS OF TENNESSEE ENROLLED MILITIA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of December 18, 1900, a report from the Chief of the Record and Pension Office relative to the claims of the officers and enlisted men of the First, Second, Third, Fourth, Fifth, Sixth, and Seventh regiments of the Enrolled Militia which constituted a part of the garrison of Memphis and of the western district of Tennessee, etc.; which, on motion of Mr. TURLEY, was, with the accompanying papers, ordered to lie on the table, and be printed.

THE PNEUMATIC-TUBE SERVICE.

The PRESIDENT pro tempore laid before the Senate a communication from the Postmaster-General, transmitting, pursuant to law, the results of the investigation into the pneumatic-tube service for the transmission of mail; which, with the accompanying papers, was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

FRANCHISES IN PORTO RICO.

The PRESIDENT pro tempore laid before the Senate a communication from the secretary of Porto Rico, transmitting copies of franchises granted by the executive council of Porto Rico to the Port America Company and to Ramon Valdes; which, with the accompanying papers, was referred to the Committee on the Pacific Islands and Porto Rico, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 11820) to ratify and confirm an agreement with the Cherokee tribe of Indians, and for other purposes, and the bill (H. R. 11881) to ratify and

confirm an agreement with the Muscogee or Creek tribe of Indians, and for other purposes; asks conferences with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERMAN, Mr. CURTIS, and Mr. LITTLE managers at the respective conferences on the part of the House.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 163) for the relief of Henry O. Morse; and it was thereupon signed by the President pro tempore.

PETITIONS AND MEMORIALS.

Mr. PLATT of New York presented petitions of the Woman's Christian Temperance Union of New York City, the congregations of the Methodist Episcopal and First Baptist churches of Wells-ville, and of J. S. E. Erskine, of Thompson Ridge, all in the State of New York, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which were ordered to lie on the table.

He also presented petitions of the keepers and crews of the life-saving stations at Quogue and Tiana, in the State of New York, praying for the enactment of legislation to promote the efficiency of the Life-Saving Service and to encourage the saving of life from shipwreck; which were referred to the Committee on Commerce.

He also presented petitions of Laundry Workers' Union, No. 8682, of Berlin; of Federal Labor Union, No. 8271, of Amsterdam; of the Woodworkers' Union of Troy; of Brush Makers' Protective and Benevolent Association, No. 7394, of New York City; of Boiler Makers and Iron Shipbuilders Helpers and Heaters' Union, No. 8001, of Buffalo, and of Steel Cabinet Workers' Union, No. 7294, of Jamestown, all in the State of New York, praying for the enactment of legislation to regulate the hours of daily work of laborers and mechanics, and also to protect free labor from prison competition; which were referred to the Committee on Education and Labor.

He also presented petitions of Local Grange, No. 827, Patrons of Husbandry, of Arena; of sundry citizens of Delaware County; of C. H. Whitcomb, of West Somerset; of Local Grange, No. 693, Patrons of Husbandry, of Greig; of William G. Head, of Cherry Valley; of sundry citizens of North Franklin, Elmira, and Chautauqua County; of H. E. Anderson, of Frewsburg; James McCarthy, of Woodhull; W. E. Ward, of Albany; E. D. Green, of Chester; J. D. F. Woolston, of Cortland; of Local Grange, No. 235, Patrons of Husbandry, of Sheridan; of Local Grange, No. 311, Patrons of Husbandry, of Greece, and of Local Grange, No. 896, Patrons of Husbandry, of Rhinebeck, all in the State of New York, praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of Cottage Grange, No. 829, Patrons of Husbandry, of West Perrysburg, N. Y., praying for the enactment of legislation to regulate the branding of cheese; which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of Frederick D. Power, secretary of the Congressional Temperance Society and also of the Reform Bureau, praying for the enactment of legislation to prohibit the sale of intoxicating liquors to native races in Africa; which was referred to the Committee on Foreign Relations.

Mr. HARRIS presented a petition of sundry citizens of Kansas, praying for the repeal of the revenue tax on grain products; which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Kansas, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all the insular possessions of the United States; which was referred to the Committee on the Philippines.

He also presented sundry petitions of citizens of Chautauqua, and of Cowley and Chautauqua counties, all in the State of Kansas, praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Live Stock Exchange of South St. Joseph, Mo., remonstrating against the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Michigan State Millers' Association, praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Great Atlantic and Pacific Tea Company and sundry other wholesale and retail grocers of the United States, praying for the repeal of the duty on tea; which was referred to the Committee on Finance.

Mr. KENNEY presented a petition of sundry citizens of Delaware, praying for the adoption of an amendment to the Constitution providing for the election of United States Senators by a direct vote of the people; for an appropriation providing for the extension of free rural mail delivery; for the establishment of